

**U.S. DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES
WASHINGTON, D.C. 20202-2740**

**FY 2005 APPLICATION KIT FOR NEW GRANTS
UNDER
THE REHABILITATION SERVICES ADMINISTRATION
PROJECTS WITH INDUSTRY PROGRAM**

CFDA NUMBER: 84.234R
FORM APPROVED
OMB No. 1820-0018, EXP. DATE 02/28/2007

ED FORM 424 02/28/2005



**DATED MATERIAL - OPEN IMMEDIATELY
CLOSING DATE: March 21, 2005**

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Section A

Dear Applicant Letter

Dear Applicant:

The Secretary invites applications for new awards for fiscal year (FY) 2005 under the Projects With Industry Program (PWI)(CFDA 84.234R). This program is authorized by the Rehabilitation Act of 1973, as amended, Title VI, Part A, Section 611 and implemented by program regulations at 34 CFR Part 379.

Prior to completing your grant application, please review the Notice Inviting Applications for New Awards (Notice) included under Section B of this application kit (see also Application Procedures below) and the Program Regulations/Selection Criteria included under Section C of this application kit (see also Program Rules and Regulations below). The Notice contains information including the purpose of the program, the number of planned awards and average estimated size of awards. Applications that do not address this program's purpose, as stated in the Notice, will be returned to the sender. The Program Regulations provide information on eligibility, required activities and other authorized activities, application content requirements, selection criteria and other factors considered in reviewing applications, matching requirements, allowable costs, requirements for continuation funding and reporting requirements. **The deadline date ("closing date") for mailing or delivering applications under the Projects With Industry competition is contained in the Notice.**

PROGRAM PURPOSE

The purpose of the PWI program is to create and expand job and career opportunities for individuals with disabilities in the competitive labor market by engaging the talent and leadership of private industry as partners in the rehabilitation process. PWI projects identify competitive job and career opportunities and the skills needed to perform those jobs, create practical job and career readiness and training programs, and provide job placement and career advancement services. Under the PWI program, grants are provided on a competitive basis to employers and profit making and non-profit organizations, including vocational rehabilitation agencies, industrial, business or commercial enterprises, labor organizations, industrial or community trade associations, rehabilitation facilities, and other agencies or organizations.

APPLICATION PROCEDURES

This application kit contains information and required forms for potential applicants to apply and compete for FY 2005 grant awards under this competition. Potential applicants are advised to read all the materials carefully, particularly the information on the types of organizations that are eligible to apply for these grants, how to prepare an application, and the program regulations including the selection criteria that will be used by the peer reviewers to evaluate applications. Please note the PWI program regulations require that (1) each grant application include a projected average cost per placement for the project (§379.21(c)), and (2) each project must pass two "primary" compliance indicators and any two of three "secondary" compliance indicators in order to be eligible to receive a continuation award (§379.50). See Supplemental Information, included under Section D of this application kit, for further information about the compliance indicators and about calculating projected average cost per placement.

To facilitate the peer review process, potential applicants are encouraged, when writing their application narrative, to address the selection criteria in the order in which the selection criteria appear in the program regulations. **The selection criteria for the Projects With Industry program can be found in the program regulations at 34 CFR Part 379.30 (see Section B of this application kit).**

Each proposal must include a one-page abstract highlighting the project's purpose, target population to be served during the project period, planned goals and objectives, innovative strategies to be utilized, and projected outcomes. It would greatly facilitate our review of your PWI program application if you would include in the one-page abstract: (1) a brief description of the project model; (2) a description of the population to be served (e.g., disability, age, other); and, for each project year, (3) quantifiable goals and objectives (i.e. the total number of persons to be served and placed, the number of persons with significantly disabilities to be served and placed, the numbers of persons unemployed 6 months or more prior to project entry to be served and placed, and the projected average cost per placement). **The PWI program regulations define a placement as “the attainment of competitive employment by a person who has received services from a PWI project and has maintained employment for a period of at least 90 days.”**

Applicants for multi-year projects are required to include in the application, for each year of the total grant period requested, detailed Federal and non-Federal budget information. Instructions for providing budget information are included in this application kit in Part II of Section F. PWI projects may be funded for a period of up to 60 months. Applicants should plan on an October 1 through September 30 annual performance period.

Applications for grants under this competition must be submitted electronically using the Electronic Grant Application System (e-Application) accessible through the Department's E-Grants System. The E-Grants System is accessible through its portal page at:
<http://e-grants.ed.gov>.

If you are unable to submit an application through the E-Grants System, you may submit a written request for a waiver of the electronic submission requirement. In your request, you should explain the reason or reasons that prevent you from using the Internet to submit your application. Address your request to: Kerrie Brown, U.S. Department of Education, 400 Maryland Avenue, SW., room 5048, Washington, DC 20202-2800. Please submit your request no later than two weeks before the application deadline date. Your paper application must be submitted in accordance with the mail or hand delivery instructions described in this Notice.

PROGRAM RULES AND REGULATIONS

The program regulations that apply to this competition (34 CFR Part 379) are included as Section C in this application kit. In determining projected average cost per placement to include in your one-page abstract, please take into account the fact that the program regulations require that **the non-Federal share of the total project cost must be at least twenty (20) percent of the total project cost**. See Appendix C of the Program Regulations for information on calculating the required match amount.

In addition to the program regulations, grants under CFDA number 84.234R are also subject to the requirements of the Education Department General Administrative Regulations (EDGAR), 34 CFR Parts 74, 75, 77, 79, 80, 81, 82, 85, and 86, which set forth general rules affecting application submittal,

review, grant awarding, and post-award administration of Department of Education grant programs.

Applicants are reminded that the Rehabilitation Act Amendments of 1992 require that all new applications must describe how the needs of individuals with disabilities from minority backgrounds will be addressed. Applicants must also provide assurance that individuals provided services must be advised of the availability and purposes of the State's Client Assistance Program, including information on means of seeking assistance under such program.

INTERGOVERNMENTAL REVIEW FOR FEDERAL PROGRAMS

Applicants under this program must submit applications to the appropriate State agency for review as stipulated under Executive Order 12372 - Intergovernmental Review, unless the applicant's State does not participate in the intergovernmental review process. If a State has an established process for this review, applicants must contact the appropriate State Single Point of Contact and follow its established procedures. Federally recognized Indian tribes are excluded from coverage under E.O. 12372. Please review the Notice Regarding Executive Order 12372 and Listing of State Single Points of Contact in Section G of this application kit.

INFORMATION CONTACTS

If you have any questions about the information in this application kit, please contact Ms. Kerrie Brown at (202) 245-7281 or Ms. Lavanna Kia Weems at (202) 245-7569. Individuals who use a telecommunications device for deaf individuals (**TDD**) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8:00 a.m. and 8:00 p.m., Eastern Time, Monday through Friday.

Thank you for your interest in this program.

Sincerely,

Fred Isbister
Chief
Service Projects Branch

Section B

Notice Inviting Applications for New Awards

4000-01-U

DEPARTMENT OF EDUCATION

Office of Special Education and Rehabilitative Services

Overview Information

Projects With Industry

Notice inviting applications for new awards for fiscal year
(FY) 2005.

Catalog of Federal Domestic Assistance (CFDA) Number:

84.234R

Dates:

Applications Available: February 3, 2005

Deadline for Transmittal of Applications: March 21, 2005

Deadline for Intergovernmental Review: May 18, 2005

Eligible Applicants: Employers, nonprofit agencies or organizations, designated State units, labor unions, community rehabilitation program providers, trade associations, Indian tribes, tribal organizations, and other agencies or organizations with the capacity to create and expand job and career opportunities for individuals with disabilities.

In order to ensure an equitable distribution of funds among the States as required by statute, grant awards will be made only to organizations that provide job and career opportunities for individuals with disabilities within the

State in which the organization is located. Only organizations that are located in the State where the organization applies to provide services will be considered for a grant.

To further ensure the equitable distribution of funds, to the extent funds are available, grants will be awarded to those projects that propose to serve those unserved or underserved individuals with disabilities in States, portions of States, Indian tribes, or tribal organizations.

Estimated Available Funds: \$19,567,593.

The estimated available funds will be used to support projects in FY 2005. Contingent upon the availability of funds and the quality of applications, the Secretary may make additional awards in FY 2006 from the list of unfunded applicants from this competition.

Estimated Range of Awards: \$200,000 - \$300,000.

Estimated Average Size of Awards: \$250,000.

Estimated Number of Awards: 77.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 36 months.

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: The Projects With Industry program creates and expands job and career opportunities for individuals with disabilities in the competitive labor market by engaging the talent and leadership of private industry as partners in the rehabilitation process. Projects identify competitive job and career opportunities and the skills needed to perform those jobs, create practical settings for job readiness and training programs, and provide job placements and career advancement services.

Program Authority: 29 U.S.C. 795.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 80, 81, 82, 84, 85, 86, and 99. (b) The regulations for this program in 34 CFR part 379.

Note: The regulations in 34 CFR part 79 apply to all applicants except federally recognized Indian tribes.

Note: The regulations in 34 CFR part 86 apply to institutions of higher education only.

II. Award Information

Type of Award: Discretionary grants.

Estimated Available Funds: \$19,567,593.

The estimated available funds will be used to support projects in FY 2005. Contingent upon the availability of funds and the quality of applications, the Secretary may

make additional awards in FY 2006 from the list of unfunded applicants from this competition.

Estimated Range of Awards: \$200,000 - \$300,000.

Estimated Average Size of Awards: \$250,000.

Estimated Number of Awards: 77.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 36 months.

III. Eligibility Information

1. Eligible Applicants: Employers, nonprofit agencies or organizations, designated State units, labor unions, community rehabilitation program providers, trade associations, Indian tribes, tribal organizations, and other agencies or organizations with the capacity to create and expand job and career opportunities for individuals with disabilities.

In order to ensure an equitable distribution of funds among the States as required by statute, grant awards will be made only to organizations that provide job and career opportunities for individuals with disabilities within the State in which the organization is located. Only organizations that are located in the State where the organization applies to provide services will be considered for a grant.

To further ensure the equitable distribution of funds, to the extent funds are available, grants will be awarded to those projects that propose to serve those unserved or underserved individuals with disabilities in States, portions of States, Indian tribes, or tribal organizations.

2. Cost Sharing or Matching: See 34 CFR 379.40.

IV. Application and Submission Information

1. Address to Request Application Package: Education Publications Center (ED Pubs), P.O. Box 1398, Jessup, MD 20794-1398. Telephone (toll free): 1-877-433-7827. FAX: (301) 470-1244. If you use a telecommunications device for the deaf (TDD), you may call (toll free): 1-877-576-7734.

You may also contact ED Pubs at its Web site: www.ed.gov/pubs/edpubs.html or you may contact ED Pubs at its e-mail address: edpubs@inet.ed.gov

If you request an application from ED Pubs, be sure to identify this competition as follows: CFDA number 84.234R.

Individuals with disabilities may obtain a copy of the application package in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) by contacting the Grants and Contracts Services Team, U.S. Department of Education, 400 Maryland Avenue, SW., room 5075, Potomac Center Plaza, Washington, DC 20202-2550. Telephone: (202) 245-7363. If you use a

telecommunications device for the deaf (TDD), you may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

2. Content and Form of Application Submission:

Requirements concerning the content of an application, together with the forms you must submit, are in the application package for this competition.

3. Submission Dates and Times:

Applications Available: February 3, 2005

Deadline for Transmittal of Applications: March 21, 2005

Applications for grants under this competition must be submitted electronically using the Electronic Grant Application System (e-Application) available through the Department's e-Grants system. For information (including dates and times) about how to submit your application electronically or by mail or hand delivery if you qualify for an exception to the electronic submission requirement, please refer to section IV. 6. Other Submission Requirements in this notice.

We do not consider an application that does not comply with the deadline requirements.

Deadline for Intergovernmental Review: May 18, 2005

4. Intergovernmental Review: This program is subject to Executive Order 12372 and the regulations in 34 CFR part

79. Information about Intergovernmental Review of Federal Programs under Executive Order 12372 is in the application package for this competition.

5. Funding Restrictions: We reference regulations outlining funding restrictions in the Applicable Regulations section of this notice.

6. Other Submission Requirements: Applications for grants under this competition must be submitted electronically, unless you qualify for an exception to this requirement in accordance with the instructions in this section.

We will reject your application if you submit it in paper format unless, as described elsewhere in this section, you qualify for one of the exceptions to the electronic submission requirement and submit, no later than two weeks before the application deadline date, a written statement to the Department that you qualify for one of these exceptions. Further information regarding calculation of the date that is two weeks before the application deadline date is provided later in this section under Exception to Electronic Submission Requirement.

a. Electronic Submission of Applications.

Applications for grants under the Projects With Industry program—CFDA Number 84.234R must be submitted

electronically using e-Application available through the Department's e-Grants system, accessible through the e-Grants portal page at: <http://e-grants.ed.gov>

While completing your electronic application, you will be entering data online that will be saved into a database. You may not e-mail an electronic copy of a grant application to us.

Please note the following:

- You must complete the electronic submission of your grant application by 4:30 p.m., Washington, DC time, on the application deadline date. The e-Application system will not accept an application for this competition after 4:30 p.m., Washington, DC time, on the application deadline date. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the application process.

- The regular hours of operation of the e-Grants Web site are 6:00 a.m. Monday until 7:00 p.m. Wednesday; and 6:00 a.m. Thursday until midnight Saturday, Washington, DC time. Please note that the system is unavailable on Sundays, and between 7:00 p.m. on Wednesdays and 6:00 a.m. on Thursdays, Washington, DC time, for maintenance. Any modifications to these hours are posted on the e-Grants Web site.

- You will not receive additional point value because you submit your application in electronic format, nor will we penalize you if you qualify for an exception to the electronic submission requirement, as described elsewhere in this section, and submit your application in paper format.

- You must submit all documents electronically, including the Application for Federal Education Assistance (ED 424), Budget Information--Non-Construction Programs (ED 524), and all necessary assurances and certifications.

- Any narrative sections of your application should be attached as files in a .DOC (document), .RTF (rich text), or .PDF (Portable Document) format.

- Your electronic application must comply with any page limit requirements described in this notice.

- Prior to submitting your electronic application, you may wish to print a copy of it for your records.

- After you electronically submit your application, you will receive an automatic acknowledgement that will include a PR/Award number (an identifying number unique to your application).

- Within three working days after submitting your electronic application, fax a signed copy of the ED 424 to the Application Control Center after following these steps:

- (1) Print ED 424 from e-Application.

- (2) The applicant's Authorizing Representative must sign this form.

- (3) Place the PR/Award number in the upper right hand corner of the hard-copy signature page of the ED 424.

- (4) Fax the signed ED 424 to the Application Control Center at (202) 245-6272.

- We may request that you provide us original signatures on other forms at a later date.

Application Deadline Date Extension in Case of e-

Application System Unavailability: If you are prevented from electronically submitting your application on the application deadline date because the e-Application system is unavailable, we will grant you an extension of one business day in order to transmit your application electronically, by mail, or by hand delivery. We will grant this extension if--

- (1) You are a registered user of e-Application and you have initiated an electronic application for this competition; and

(2) (a) The e-Application system is unavailable for 60 minutes or more between the hours of 8:30 a.m. and 3:30 p.m., Washington, DC time, on the application deadline date; or

(b) The e-Application system is unavailable for any period of time between 3:30 p.m. and 4:30 p.m., Washington, DC time, on the application deadline date.

We must acknowledge and confirm these periods of unavailability before granting you an extension. To request this extension or to confirm our acknowledgement of any system unavailability, you may contact either (1) the person listed elsewhere in this notice under For Further Information Contact (see VII. Agency Contact) or (2) the e-Grants help desk at 1-888-336-8930. If the system is down and therefore the application deadline is extended, an e-mail will be sent to all registered users who have initiated an e-Application. Extensions referred to in this section apply only to the unavailability of the Department's e-Application system.

Exception to Electronic Submission Requirement: You qualify for an exception to the electronic submission requirement, and may submit your application in paper format, if you are unable to submit an application through the e-Application system because--

- You do not have access to the Internet; or
- You do not have the capacity to upload large documents to the Department's e-Application system;

and

- No later than two weeks before the application deadline date (14 calendar days or, if the fourteenth calendar day before the application deadline date falls on a Federal holiday, the next business day following the Federal holiday), you mail or fax a written statement to the Department, explaining which of the two grounds for an exception prevent you from using the Internet to submit your application. If you mail your written statement to the Department, it must be postmarked no later than two weeks before the application deadline date. If you fax your written statement to the Department, we must receive the faxed statement no later than two weeks before the application deadline date.

Address and mail or fax your statement to: Kerrie Brown, U.S. Department of Education, 400 Maryland Avenue, SW., room 5048, Potomac Center Plaza, Washington, DC 20202-2800. FAX: 202-245-7593.

Your paper application must be submitted in accordance with the mail or hand delivery instructions described in this notice.

b. Submission of Paper Applications by Mail.

If you qualify for an exception to the electronic submission requirement, you must mail (through the U.S. Postal Service or a commercial carrier) your application to the Department. You must mail the original and two copies of your application, on or before the application deadline date, to the Department at the applicable following address:

By mail through the U.S. Postal Service:

U.S. Department of Education
Application Control Center
Attention: (CFDA Number 84.234R)
400 Maryland Avenue, SW.
Washington, DC 20202-4260

or

By mail through a commercial carrier:

U.S. Department of Education
Application Control Center - Stop 4260
Attention: (CFDA Number 84.234R)
7100 Old Landover Road
Landover, MD 20785-1506

Regardless of which address you use, you must show proof of mailing consisting of one of the following:

- (1) A legibly dated U.S. Postal Service postmark,
- (2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service,
- (3) A dated shipping label, invoice, or receipt from a commercial carrier, or
- (4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education.

If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing:

- (1) A private metered postmark, or
- (2) A mail receipt that is not dated by the U.S. Postal Service.

If your application is postmarked after the application deadline date, we will not consider your application.

Note: The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you should check with your local post office.

c. Submission of Paper Applications by Hand Delivery.

If you qualify for an exception to electronic submission requirement, you (or a courier service) may deliver your paper application to the Department by hand. You must deliver the original and two copies of your application, by hand, on or before the application deadline date, to the Department at the following address:

U.S. Department of Education
Application Control Center
Attention: (CFDA Number 84.234R)
550 12th Street, SW.
Room 7041, Potomac Center Plaza
Washington, DC 20202-4260

The Application Control Center accepts hand deliveries daily between 8:00 a.m. and 4:30 p.m., Washington, DC time, except Saturdays, Sundays, and Federal holidays.

Note for Mail or Hand Delivery of Paper Applications: If you mail or hand deliver your application to the Department:

(1) You must indicate on the envelope and – if not provided by the Department – in Item 4 of the ED 424 the CFDA number – and suffix letter, if any – of the competition under which you are submitting your application.

(2) The Application Control Center will mail a grant application receipt acknowledgment to you. If you do not receive the grant application receipt acknowledgment within 15 business days from the application deadline date, you should call the U.S. Department of Education Application Control Center at (202) 245-6288.

V. Application Review Information

1. Selection Criteria: The selection criteria for this program are in 34 CFR 75.210.

2. Review and Selection Process: The procedures used for reviewing and selecting an application for an award are in 34 CFR 75.215 through 75.222.

VI. Award Administration Information

1. Award Notices: If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN). We may also notify you informally.

If your application is not evaluated or not selected for funding, we notify you.

2. Administrative and National Policy Requirements: We identify administrative and national policy requirements in the application package and reference these and other requirements in the Applicable Regulations section of this notice.

We reference the regulations outlining the terms and conditions of an award in the Applicable Regulations section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. Reporting: At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multi-year award, you must submit an annual performance

report that provides the most current performance and financial expenditure information as specified by the Secretary in 34 CFR 75.118 and 34 CFR part 379.

4. Performance Measures: Under the Government Performance and Results Act (GPRA), the Department has established four performance measures for the Projects With Industry program. The measures are percentage of individuals served who were placed in competitive employment, average increase in weekly earnings experienced by individuals placed in competitive employment, percentage of previously unemployed individuals served who were placed in competitive employment, and cost per placement. Each grantee must submit an annual performance report documenting its success in addressing these performance measures, as well as the compliance indicators required by the program regulations in 34 CFR part 379, Subpart F.

In addition, the Projects With Industry program is part of the Administration's job training and employment common measures initiative. The common measures for job training and employment programs targeting adults are-- entered employment (percentage of individuals employed in the first quarter after program exit); retention in employment (percentage of individuals employed in the first quarter after exit that were still employed in the second and third quarters after program exit); earnings increase

(percentage change in earnings pre-registration to post-program and first quarter after exit to third quarter after exit); and efficiency (annual cost per participant). The Department is currently working toward implementation of these common measures. Each grantee will be required to collect and report data for the common measures when implemented.

VII. Agency Contact

For Further Information Contact: Kerrie Brown, U.S. Department of Education, 400 Maryland Avenue, SW., room 5048, Potomac Center Plaza, Washington, DC 20202-2800. Telephone: (202) 245-7281 or by e-mail: Kerrie.Brown@ed.gov

If you use a telecommunications device for the deaf (TDD), you may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the program contact person listed in this section.

VIII. Other Information

Electronic Access to This Document: You may view this document, as well as all other documents of this Department published in the Federal Register, in text or Adobe

Portable Document Format (PDF) on the Internet at the following site: www.ed.gov/news/fedregister

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

Note: The official version of this document is the document published in the Federal Register. Free Internet access to the official edition of the Federal Register and the Code of Federal Regulations is available on GPO Access at: www.gpoaccess.gov/nara/index.html

Dated: JAN 31 2005

/s/

John H. Hager,
Assistant Secretary for
Special Education and
Rehabilitative
Services.

Section C

Program Regulations/ Selection Criteria (34 Part 379)

34 CFR PART 379 -- PROJECTS WITH INDUSTRY

Subpart A -- General

Sec.

- 379.1 What is the Projects With Industry (PWI) program?
- 379.2 Who is eligible for a grant award under this program?
- 379.3 Who is eligible for services under this program?
- 379.4 What regulations apply?
- 379.5 What definitions apply?

Subpart B -- What Kinds of Activities Does the Department of Education Assist Under This Program?

- 379.10 What types of project activities are required of each grantee under this program?
- 379.11 What additional types of project activities may be authorized under this program?

Subpart C -- How Does One Apply for an Award?

- 379.20 How does an eligible entity apply for an award?
- 379.21 What is the content of an application for an award?
- 379.22 What are the application procedures for this program?

Subpart D -- How Does the Secretary Make a Grant?

- 379.30 What selection criteria does the Secretary use under this program?
- 379.31 What other factors does the Secretary consider in reviewing an application?

Subpart E -- What Conditions Must Be Met by a Grantee?

- 379.40 What are the matching requirements?
- 379.41 What are allowable costs?
- 379.42 What are the special requirements pertaining to the Client Assistance Program?
- 379.43 What are the special requirements pertaining to the protection, use, and release of personal information?
- 379.44 What are the requirements for a continuation award?
- 379.45 What are the additional reporting requirements?

Subpart F -- What Compliance Indicator Requirements Must a Grantee Meet To Receive Continuation Funding?

- 379.50 What are the requirements for continuation funding?
- 379.51 What are the program compliance indicators?
- 379.52 How is grantee performance measured using the compliance indicators?
- 379.53 What are the minimum performance levels for each compliance indicator?
- 379.54 What are the reporting requirements for the compliance indicators?

APPENDIX A TO PART 379 -- EVALUATION STANDARDS

APPENDIX B TO PART 379 -- PRESUMPTION OF ELIGIBILITY

APPENDIX C TO PART 379 -- CALCULATING REQUIRED MATCHING AMOUNT

Authority: 29 U.S.C. 711(c) and 795, unless otherwise noted.

Source: 64 FR 48053, Sept. 1, 1999, unless otherwise noted.

Subpart A -- General

- 379.1 What is the Projects With Industry (PWI) program?

The purpose of this program is to

- (a) Create and expand job and career opportunities for individuals with disabilities in the competitive labor market by engaging the talent and leadership of private industry as partners in the rehabilitation process;
- (b) Identify competitive job and career opportunities and the skills needed to perform these jobs;
- (c) Create practical settings for job readiness and job training programs; and
- (d) Provide job placements and career advancement.

(Authority: 29 U.S.C. 795(a)(1))

§379.2 Who is eligible for a grant award under this program?

(a) The Secretary may, in consultation with the Secretary of Labor and with the appropriate designated State unit or units, make a grant under this program to any --

- (1) Community rehabilitation program provider;
- (2) Designated State unit (DSU);
- (3) Employer;
- (4) Indian tribe or tribal organization;
- (5) Labor union;
- (6) Nonprofit agency or organization;
- (7) Trade association; or
- (8) Other agency or organization with the capacity to create and expand job and career opportunities for individuals with disabilities.

(b) The Secretary may make new awards only to those eligible entities identified in paragraph (a) of this section that propose to serve individuals with disabilities in States, portions of States, Indian tribes, or tribal organizations that are currently unserved or underserved by the PWI program.

(Authority: 29 U.S.C. 795(a)(2) and 795(e)(2))

379.3 Who is eligible for services under this program?

(a) An individual is eligible for services under this program if --

- (1) The individual is an individual with a disability or an individual with a significant disability;
- (2) The individual requires vocational services to prepare for, secure, retain, or regain employment; and
- (3) The determination of eligibility is consistent with section 102(a) of the Rehabilitation Act of 1973, as amended (Act), 29 U.S.C. 701-796l.

(b) The recipient of the grant under which the services are provided may determine an individual's eligibility for services under this program, to the extent that the determination is appropriate and consistent with the requirements of section 102(a) of the Act. See Appendix B to this part for further information.

(c) Except as provided in paragraph (d) of this section, an individual who has a disability or is blind, as determined pursuant to title II or title XVI of the Social Security Act (42 U.S.C. 401-433 and 1381-1385) --

- (1) Is considered to be an individual with a significant disability; and
- (2) Is presumed to be eligible for vocational rehabilitation (VR) services under this program (provided that the individual intends to achieve an employment outcome consistent with the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individual).

(d) The DSU or recipient of the grant involved may deny an individual services if the DSU or recipient of the grant involved can demonstrate, by clear and convincing evidence, that the individual is incapable of benefiting in terms of an employment outcome from VR services due to the significance of the disability of the individual.

(Authority: 29 U.S.C. 722(a)(3) and 795(a)(3))

379.4 What regulations apply?

The following regulations apply to the Projects With Industry program:

- (a) The Education Department General Administrative Regulations (EDGAR) as follows:

- (1) 34 CFR part 74 (Administration of Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-profit Organizations).
- (2) 34 CFR part 75 (Direct Grant Programs).
- (3) 34 CFR part 77 (Definitions that Apply to Department Regulations).
- (4) 34 CFR part 79 (Intergovernmental Review of Department of Education Programs and Activities).
- (5) 34 CFR part 80 (Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments).
- (6) 34 CFR part 81 (General Education Provisions Act -- Enforcement).
- (7) 34 CFR part 82 (New Restrictions on Lobbying).
- (8) 34 CFR part 85 (Governmentwide Debarment and Suspension (Nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)).
- (9) 34 CFR part 86 (Drug and Alcohol Abuse Prevention).
- (b) The regulations in this part 379. (Authority: 29 U.S.C. 711(c) and 795)

379.5 What definitions apply?

- (a) The following terms used in this part are defined in 34 CFR part 361:

Act

Community rehabilitation program

Designated State unit

Individual who is blind

Individual with a disability

Individual with a significant disability

Physical or mental impairment

Substantial impediment to employment

- (b) The following definitions also apply to this part:

(1) *Career advancement services* mean services that develop specific job skills beyond those required by the position currently held by an individual with a disability to assist the individual to compete for a promotion or achieve an advanced position.

(2) *Competitive employment*, as the placement outcome under this program, means work --

- (i) In the competitive labor market that is performed on a full-time or part-time basis in an integrated setting; and
- (ii) For which an individual is compensated at or above the minimum wage, but not less than the customary or usual wage and terms and benefits provided by the employer for the same or similar work performed by individuals who are not disabled.

(3) *Integrated setting*, as part of the definition of "competitive employment," means a setting typically found in the community in which individuals with disabilities interact with non-disabled individuals, other than non-disabled individuals who are providing services to them, to the same extent that non-disabled individuals in comparable positions interact with other persons.

(4) *Job readiness training*, as used in 379.41(a), means --

- (i) Training in job-seeking skills;
- (ii) Training in the preparation of resumes or job applications;
- (iii) Training in interviewing skills;
- (iv) Participating in a job club; or
- (v) Other related activities that may assist an individual to secure competitive employment.

(5) *Job training*, as used in this part, means one or more of the following training activities provided prior to placement, as that term is defined in 379.5(b)(7):

- (i) Occupational skills training.
- (ii) On-the-job training.
- (iii) Workplace training combined with related instruction.
- (iv) Job skill upgrading and retraining.
- (v) Training to enhance basic work skills and workplace competencies.
- (vi) On-site job coaching.

(6) *Person served* means an individual for whom services by a PWI project have been initiated with the objective that those services will result in a placement in competitive employment.

(7) *Placement* means the attainment of competitive employment by a person who has received services from a PWI project and has maintained employment for a period of at least 90 days. (Authority: 29 U.S.C. 711(c) and 795)

Subpart B -- What Kinds of Activities Does the Department of Education Assist Under This Program?

379.10 What types of project activities are required of each grantee under this program?

Each grantee under the PWI program must --

(a) Provide for the establishment of a Business Advisory Council (BAC), comprised of representatives of private industry, business concerns, organized labor, individuals with disabilities and their representatives, and a representative of the appropriate DSU, that will --

(1) Identify job and career availability within the community, consistent with the current and projected local employment opportunities identified by the local workforce investment board for the community under section 118(b)(1)(B) of the Workforce Investment Act of 1998;

(2) Identify the skills necessary to perform those jobs and careers; and

(3) Prescribe for individuals with disabilities in fields related to the job and career availability identified in §379.10(a)(1) either --

(i) training programs designed to develop appropriate job and career skills; or

(ii) job placement programs designed to identify and develop job placement and career advancement opportunities;

(b) Provide job development, job placement, and career advancement services;

(c) To the extent appropriate, arrange for the provision of, or provide for --

(1) Training in realistic work settings to prepare individuals with disabilities for employment and career advancement in the competitive labor market; and

(2) To the extent practicable, the modification of any facilities or equipment of the employer involved that are to be used by individuals with disabilities under this program. However, a project may not be required to provide for this modification if the modification is required as a reasonable accommodation under the Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. 12101-12213; and

(d) Provide individuals with disabilities with supportive services that are necessary to permit them to maintain the employment and career advancement for which they have received training under this program.

(Authority: 29 U.S.C. 795)

379.11 What additional types of project activities may be authorized under this program?

The Secretary may include, as part of agreements with grant recipients under this program, authority for the grant recipients to provide technical assistance to --

(a) Assist employers in hiring individuals with disabilities; or

(b) Improve or develop relationships between grant recipients or prospective grant recipients and employers or organized labor; or

(c) Assist employers in understanding and meeting the requirements of the ADA, as that Act relates to employment of individuals with disabilities.

(Authority: 29 U.S.C. 795)

Subpart C -- How Does One Apply for an Award?

379.20 How does an eligible entity apply for an award?

To apply for a grant, an eligible entity must submit an application to the Secretary in response to an application notice published in the FEDERAL REGISTER.

(Approved by the Office of Management and Budget under control number 1820-0566)

379.21 What is the content of an application for an award?

(a) The grant application must include a description of --

(1) The responsibilities and membership of the BAC, consistent with section 611(a)(2)(A) of the Act, and how it will interact with the project in carrying out grant activities, including how the BAC will --

(i) Identify job and career availability within the community, consistent with the current and projected local employment opportunities identified by the local workforce investment board for the community under section 118(b)(1)(B) of the Workforce Investment Act of 1998;

(ii) Identify the skills necessary to perform the jobs and careers identified; and

(iii) For individuals with disabilities in fields related to the job and career availability identified under paragraph (a)(1)(i) of this section, prescribe either --

(A) Training programs designed to develop appropriate job and career skills; or

(B) Job placement programs designed to identify and develop job placement and career advancement opportunities;

(2) How the project will provide job development, job placement, and career advancement services to project participants;

(3) To the extent appropriate, how the project will provide for --

(i) Training in realistic work settings to prepare individuals with disabilities for employment and career advancement in the competitive market; and

(ii) To the extent practicable, the modification of any facilities or equipment of the employer involved that are used primarily by individuals with disabilities, except that a project will not be required to provide for that modification if the modification is required as a reasonable accommodation under the Americans with Disabilities Act of 1990;

(4) How the project will provide individuals with disabilities with support services that may be required to maintain the employment and career advancement for which the individuals have received training under this part;

(5) How the project will involve private industry in the design of the proposed project and the manner in which the project will collaborate with private industry in planning, implementing, and evaluating job development, job placement, career advancement activities, and, to the extent included as part of the activities to be carried out by the project, job training activities;

(6) A plan to annually conduct a review and evaluation of the operation of the proposed project in accordance with the program compliance indicators and evaluation standards in Subpart F of this part and, in conducting the review and evaluation, to collect data and information of the type described in subparagraphs (A) through (C) of section 101(a)(10) of the Act, as determined to be appropriate by the Secretary;

(7) The factors that justify the applicant's projected average cost per placement, including factors such as the project's objectives, types of services, target population, and service area, and how these factors affect the projection;

(8) The geographic area to be served by the project, including an explanation of how the area is currently unserved or underserved by the PWI program; and

(9) How the project will address the needs of individuals with disabilities from minority backgrounds, as required by section 21(c) of the Act.

(b) The grant application also must include assurances from the applicant that --

(1) The project will carry out all activities required in §379.10;

(2) Individuals with disabilities who are placed by the project will receive compensation at or above the minimum wage, but not less than the customary or usual wage paid by the employer for the same or similar work performed by individuals who are not disabled;

(3) Individuals with disabilities who are placed by the project will --

(i) Be given terms and benefits of employment by the Secretary and make those records available for monitoring and audit purposes;

(5) The project will provide to the Secretary an equal to terms and benefits that are given to similarly situated nondisabled co-workers; and

(ii) Not be segregated from their co-workers;

- (4) The project will maintain any records required annual evaluation report of project operations as required in §379.21(a)(6) and will submit reports in the form and detail and at the time required by the Secretary; and
- (6) The applicant will comply with any requirements necessary to ensure the correctness and verification of those reports.
- (c) The grant application also must include the projected average cost per placement for the project, which must be calculated by dividing the sum of the total project costs (i.e., Federal dollar amount of the grant plus the total non-Federal contributions) by the number of individuals the applicant projects in its application will be placed by the project.

(Approved by the Office of Management and Budget under control number 1820-0631)

(Authority: Section 611 of the Act; 29 U.S.C. 795)

[65 FR 18218, Apr. 6, 2000; 65 FR 36633, June 9, 2000]

379.22 What are the application procedures for this program?

The Secretary gives the appropriate DSU an opportunity to review and comment on applications submitted from within the State that it serves. The procedures to be followed by the applicant and the State are described in §§75.155 through 75.159 of EDGAR.

(Authority: 20 U.S.C. 711(c))

Subpart D -- How Does the Secretary Make a Grant?

379.30 What selection criteria does the Secretary use under this program?

- (a) The Secretary uses the procedures in 34 CFR part 75 to select applications and award new grants.
- (b) The Secretary uses the following selection criteria to evaluate an application:
 - (1) *Extent of need for project* (20 points). The Secretary reviews each application to determine the extent to which the project meets demonstrated needs. The Secretary looks for evidence that --
 - (i) The applicant has demonstrated a demand in the competitive labor market of the geographic area to be served for the types of jobs for which project participants will be placed and, if appropriate, trained.
 - (A) The applicant may demonstrate the demand for those jobs by describing an existing current labor market analysis, other needs assessment, or one that it has performed in collaboration with private industry.
 - (B) The labor market analysis or needs assessment must be consistent with the current and projected local employment opportunities identified by the local workforce investment board for the community under section 118(b)(1)(B) of the Workforce Investment Act of 1998; and
 - (ii) The job placement and, if appropriate, job training to be provided meets the identified needs for personnel in specific occupations or occupational categories in the geographic area to be served.
 - (2) *Partnership with industry* (25 points). The Secretary looks for information that demonstrates --
 - (i) The extent of the project's proposed collaboration with private industry in the planning, implementation, and evaluation of job development, job placement, career advancement activities, and, to the extent included as part of the activities to be carried out by the project, job training activities; and
 - (ii) The extent of proposed participation of the BAC in --
 - (A) The identification of job and career opportunities within the community, consistent with the current and projected local employment opportunities identified by the local workforce investment board for the community under section 118(b)(1)(B) of the Workforce Investment Act of 1998;
 - (B) The identification of the skills necessary to perform the jobs and careers identified; and
 - (C) For individuals with disabilities in fields related to the job and career availability identified under paragraph (b)(1)(i) of this section, prescribing either --
 - (1) Training programs designed to develop appropriate job and career skills; or
 - (2) Job placement programs designed to identify and develop job placement and career advancement opportunities.
 - (3) *Project design and plan of operation for achieving competitive employment* (25 points). The Secretary reviews each application to determine --

- (i) The extent to which the project goals and objectives for achieving competitive employment for individuals with disabilities to be served by the project are clearly stated and meet the needs identified by the applicant and the purposes of the program;
- (ii) The extent to which the project provides for all services and activities required under §379.10;
- (iii) The feasibility of proposed strategies and methods for achieving project goals and objectives for competitive employment for project participants;
- (iv) The extent to which project activities will be coordinated with the DSU and with other appropriate community resources to ensure an adequate number of referrals and a maximum use of comparable benefits and services;
- (v) The extent to which the applicant's management plan will ensure proper and efficient administration of the project; and
- (vi) Whether the applicant has proposed a realistic timeline for the implementation of project activities to ensure timely accomplishment of proposed goals and objectives to achieve competitive employment for individuals with disabilities to be served by the project.

(4) *Adequacy of resources and quality of key personnel* (10 points). The Secretary reviews each application to determine --

- (i) The adequacy of the resources (including facilities, equipment, and supplies) that the applicant plans to devote to the project;
- (ii) The quality of key personnel who will be involved in the project, including --
 - (A) The qualifications of the project director;
 - (B) The qualifications of each of the other key personnel to be used in the project; and
 - (C) The experience and training of key personnel in fields related to the objectives and activities of the project; and
 - (D) The way the applicant plans to use its resources and personnel to achieve the project's goals and objectives, including the time that key personnel will commit to the project.

(5) *Budget and cost effectiveness* (10 points). The Secretary reviews each application to determine the extent to which --

- (i) The budget is adequate to support the project; and
- (ii) Costs are reasonable in relation to the objectives of the project.

(6) *Project evaluation* (10 points). The Secretary reviews each application to determine the quality of the proposed evaluation plan with respect to --

- (i) Evaluating project operations and outcomes;
- (ii) Involving the BAC in evaluating the project's job development, job placement, career advancement activities, and, to the extent included as part of the activities to be carried out by the project, job training activities;
- (iii) Meeting the annual evaluation reporting requirements in §379.21(a)(6);
- (iv) Determining compliance with the indicators; and
- (v) Addressing any deficiencies identified through project evaluation.

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(Authority: 29 U.S.C. 711(c) and 795)

379.31 What other factors does the Secretary consider in reviewing an application?

In addition to the selection criteria in §379.30, the Secretary, in making awards under this program, considers --

- (a) The equitable distribution of projects among the States; and
- (b) The past performance of the applicant in carrying out a similar PWI project under previously awarded grants, as indicated by factors such as compliance with grant conditions, soundness of programmatic and financial management practices, and meeting the requirements of Subpart F of this part.

(Authority: 29 U.S.C. 795(e)(2) and 795(f)(4))

Subpart E -- What Conditions Must Be Met by a Grantee?

379.40 What are the matching requirements?

The Federal share may not be more than 80 percent of the total cost of a project under this program. For assistance in calculating the required matching amount, see Appendix C to this part.

(Authority: 29 U.S.C. 795(c))

379.41 What are allowable costs?

In addition to those costs that are allowable in accordance with 34 CFR 74.27 and 34 CFR 80.22, the following items are allowable costs under this program:

- (a) The costs of job readiness training, as defined in §379.5(b)(5); job training, as defined in §379.5(b)(6); job placement services; job development and modification; and related support services.
- (b) Instruction and supervision of trainees.
- (c) Training materials and supplies, including consumable materials.
- (d) Instructional aids.
- (e) The purchase or modification of rehabilitation technology to meet the needs of individuals with disabilities.
- (f) Alteration and renovation appropriate and necessary to ensure access to and use of buildings by individuals with disabilities served by the project.
- (g) To the extent practicable, the modification of any facilities or equipment of the employer involved that are to be used by individuals with disabilities under this program. However, a project may not be required to provide for that modification if the modification is required as a reasonable accommodation under the ADA.

(Authority: 29 U.S.C. 711(c) and 795)

379.42 What are the special requirements pertaining to the Client Assistance Program?

Each grantee under a program covered by this part must advise applicants for or recipients of services under its project, or as appropriate, the parents, family members, guardians, advocates, or authorized representatives of those individuals, of the availability and purposes of the State's Client Assistance Program, including information on seeking assistance from that program.

(Authority: 29 U.S.C. 718a)

379.43 What are the special requirements pertaining to the protection, use, and release of personal information?

- (a) All personal information about individuals served by any project under this part, including lists of names, addresses, photographs, and records of evaluation, must be held confidential.
- (b) The use of information and records concerning individuals must be limited only to purposes directly connected with the project, including project evaluation activities.
- (c) This information may not be disclosed, directly or indirectly, other than in the administration of the project, unless the consent of the agency providing the information and the individual to whom the information applies, or his or her representative, have been obtained in writing.
- (d) The Secretary or other Federal or State officials responsible for enforcing legal requirements have access to this information without the written consent of the individual.
- (e) The final product of the project may not reveal any personally identifying information without the written consent of the individual or his or her representative.

(Authority: 29 U.S.C. 711(c))

379.44 What are the requirements for a continuation award?

(a) A grantee that wants to receive a continuation award must --

- (1) Comply with the provisions of 34 CFR 75.253(a), including making substantial progress toward meeting the objectives in its approved application and submitting all performance and financial reports required by 34 CFR 75.118; and
- (2) Submit data in accordance with 379.54 showing that it has met the program compliance indicators established in Subpart F of this part.

(b) In addition to the requirements in paragraph (a) of this section, the following other conditions in 34 CFR 75.253(a) must be met before the Secretary makes a continuation award:

- (1) Congress must appropriate sufficient funds under the program.
- (2) Continuation of the project must be in the best interest of the Federal Government.

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(Authority: 29 U.S.C. 711(c) and 795(f)(4))

379.45 What are the additional reporting requirements?

Each grantee must submit the data from its annual evaluation of project operations required under 379.21(a)(5) no later than 60 days after the end of each project year, unless the Secretary authorizes a later submission date.

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(Authority: 29 U.S.C. 711(c) and 795)

Subpart F -- What Compliance Indicator Requirements Must a Grantee Meet To Receive Continuation Funding?

Source: 65 FR 18219, Apr. 6, 2000, unless otherwise noted.

379.50 What are the requirements for continuation funding?

To receive a continuation award for the third or subsequent year of the PWI grant, a grantee must --

- (a) Adhere to the provisions of its approved application; and
 - (b) Meet the minimum performance levels on --
 - (1) The two "primary" program compliance indicators identified in 379.51(b) and described in 379.53(a); and
 - (2) Any two of the three "secondary" compliance indicators identified in 379.51(c) and described in 379.53(b).
- (Authority: Section 611(f)(4) of the Act; 29 U.S.C. 795(f)(4))

379.51 What are the program compliance indicators?

- (a) General. The program compliance indicators implement program evaluation standards, which are contained in an appendix to this part, by establishing minimum performance levels in essential project areas to measure the effectiveness of individual grantees.
 - (b) Primary compliance indicators. "Placement rate" and "Change in earnings" are "primary" compliance indicators.
 - (c) Secondary compliance indicators. "Percent placed who have significant disabilities," "Percent placed who were previously unemployed," and "Average cost per placement" are "secondary" compliance indicators.
- (Authority: Sections 611(d)(1) and 611(f)(1) of the Act; 29 U.S.C. 795(d)(1) and 795(f)(1))

379.52 How is grantee performance measured using the compliance indicators?

- (a) Each compliance indicator establishes a minimum performance level.
 - (b) If a grantee does not achieve the minimum performance level for a compliance indicator, the grantee does not pass the compliance indicator.
- (Authority: Section 611(f)(1) of the Act; 26 U.S.C. 795(f)(1))

379.53 What are the minimum performance levels for each compliance indicator?

- (a) Primary compliance indicators.
 - (1) Placement rate. The project places individuals it serves into competitive employment as follows:
 - (i) No less than 50 percent during fiscal year (FY) 2001.
 - (ii) No less than 51 percent during FY 2002.

(iii) No less than 52 percent during FY 2003.

(iv) No less than 54 percent during FY 2004.

(v) No less than 55 percent during FY 2005 and any year thereafter.

(2) Change in earnings. (i) Except as provided in paragraph (a)(2)(ii) of this section, the average earnings of all individuals who are placed into competitive employment by the project increase by an average of at least \$125.00 a week over the average earnings of all individuals at the time of project entry.

(ii) For projects in which at least 75 percent of individuals placed into competitive employment are working fewer than 30 hours per week, the average earnings of all individuals placed by the project increase by an average of at least \$100.00 a week over the average earnings of all individuals at the time of project entry.

(b) Secondary compliance indicators.

(1) Percent placed who have significant disabilities. At least 50 percent of individuals who are placed into competitive employment are individuals with significant disabilities.

(2) Percent placed who were previously unemployed. At least 50 percent of individuals who are placed into competitive employment are individuals who were continuously unemployed for at least 6 months at the time of project entry.

(3) Average cost per placement. The actual average cost per placement does not exceed 115 percent of the projected average cost per placement in the grantee's application.

(Authority: Section 611(f)(1) of the Act; 29 U.S.C. 795(f)(1))

379.54 What are the reporting requirements for the compliance indicators?

(a) To receive continuation funding for the third or any subsequent year of a PWI grant, each grantee must submit to the Secretary data for the most recent complete budget period no later than 60 days after the end of that budget period, unless the Secretary authorizes a later submission date. The Secretary uses this data to determine if the grantee has met the program compliance indicators in this subpart F.

(b) A grantee may receive its second year of funding (or the first continuation award) under this program before data from the first complete budget period is available. However, to allow the Secretary to determine whether the grantee is eligible for the third year of funding (or the second continuation award), the grantee must submit data from the first budget period in accordance with paragraph (a) of this section.

(c) If the data for the most recent complete budget period provided under paragraph (a) or (b) of this section show that a grantee has failed to achieve the minimum performance levels, as required by §379.50(b), the grantee may, at its option, submit data from the first 6 months of the current budget period. The grantee must submit this data no later than 60 days after the end of that 6-month period, unless the Secretary authorizes a later submission date. The data must demonstrate that the grantee's project performance has improved sufficiently to meet the minimum performance levels required in §379.50(b).

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(Authority: Section 611(f)(2) and 611(f)(4) of the Act; 29 U.S.C. 795(f)(2) and 795(f)(4))

Appendix A To Part 379 -- Evaluation Standards

Standard 1: The primary objective of the project must be to assist individuals with disabilities to obtain competitive employment. The activities carried out by the project must support the accomplishment of this objective.

Standard 2: The project must serve individuals with disabilities that impair their capacity to obtain competitive employment. In selecting persons to receive services, priority must be given to individuals with significant disabilities.

Standard 3: The project must ensure the provision of services that will assist in the placement of individuals with disabilities.

Standard 4: Funds must be used to achieve the project's primary objective at minimum cost to the Federal Government.

Standard 5: The project's advisory council must provide policy guidance and assistance in the conduct of the project.

Standard 6: Working relationships, including partnerships, must be established with agencies and organizations to expand the project's capacity to meet its objectives.

Standard 7: The project must obtain positive results in assisting individuals with disabilities to obtain competitive employment.

Appendix B To Part 379 -- Presumption of Eligibility

If a DSU determines that an individual is an eligible individual under section 102(a) of the Act, including that the individual meets the definition of an "individual with a significant disability," and refers the individual to a PWI project, the PWI grantee may initiate services to that individual without the need for an additional determination of eligibility. In these instances, the PWI grantee should obtain appropriate documentation of this determination from the DSU.

Appendix C To Part 379 -- Calculating Required Matching Amount

1. The method for calculating the required matching amount may be stated by the following formula:

$$X = (Y \div .8) - Y$$

X = Required Match (provided in cash or through third party in-kind contributions)
Y = Amount of Federal Funds

This equation holds true regardless of the total cost of the project. The amount of Federal funds spent in a fiscal year (FY) can never be more than 80 percent (hence, the ".8" in the formula) of the total funds (Federal and non-Federal) spent by the project. Thus, the formula is not dependent on knowing the total cost of the project. One needs to know only that the Federal share can be no more than 80 percent of whatever the total costs may turn out to be. In all cases, the matching contribution is calculated by dividing the amount of the Federal grant award by 80 percent (.8) and subtracting from that result the amount of the Federal grant award.
For example: If the amount of the Federal PWI grant award is \$400,000, the amount of the required match is \$100,000, calculated as follows:

Required match	=	(Am't. of Fed. Funds in FY)	÷	Max. Fed. % of Total)	-	(Am't. of Fed. Funds in FY)
X	=	(\$400,000.....	÷	.8)	-	400,000
X	=	\$500,000-400,000.				
X	=	\$100,000.				

The matching contribution is never simply 20 percent of the amount of the Federal grant award (i.e., in the above example, NOT .2 x \$400,000).
2. Another consideration is what happens if a grantee carries over unspent Federal funds it received in a fiscal year. If the grantee spends or obligates less than the amount of its Federal its its required matching contribution stays the same because the amount of its required matching expenditures or obligations is based on the amount of Federal dollars received in a particular fiscal year. That is, if the grantee carries over any unspent or unobligated Federal funds, the grantee must have spent or obligated the amount of non-Federal funds required for its matching contribution in the same fiscal year in which the Federal funds were received.
For example: If a PWI grantee receives a grant award of \$80,000 in FY 2000, its matching requirement for these funds is \$20,000. If the grantee spends and obligates only \$64,000 in FY 2000, it may "carry over" \$16,000 to FY 2001. However, the grantee must spend or obligate \$20,000 in non-Federal funds in FY 2000 to meet its matching requirements for the \$80,000 it received in FY 2000, even though it does not spend or obligate the entire \$80,000 in FY 2000. If the grantee fails to spend or obligate in FY 2000 the entire \$20,000 in non-Federal funds, the grantee will fail to meet the matching requirement for the \$80,000 it received in FY 2000 and may not carry over the unspent or unobligated \$16,000 to FY 2001.

3. The matching contribution also must comply with the requirements of 34 CFR 74.23 (for grantees that are institutions of higher education, hospitals, or other nonprofit organizations) or 34 CFR 80.24 (for grantees that are State, local, or Indian tribal governments). The term "third party in-kind contributions" is defined in either 34 CFR 74.2 or 34 CFR 80.3, as applicable to the type of grantee.

Section D

Supplemental Information

SUPPLEMENTAL INFORMATION – PLEASE NOTE

Compliance Indicators

Under the PWI program's new regulations, the compliance indicators are divided into "primary" and "secondary" compliance indicators. "Placement rate" and "Change in earnings" are "primary" indicators. "Percent placed who have significant disabilities," "Percent placed who were previously unemployed," and "Average cost per placement" are "secondary" indicators. The regulations at §379.50 require that a grantee meet the minimum performance levels of the two designated "primary" compliance indicators and any two of the three designated "secondary" compliance indicators to receive continuation funding.

Project Performance Measures

In order to facilitate the review process for applications submitted to the Department, we request that each applicant include quantifiable goals and objectives (i.e. the total number of persons to be served and placed, the number of persons with significant disabilities to be served and placed, the numbers of persons unemployed 6 months or more prior to project entry to be served and placed, and the projected average cost per placement).

Projected Average Cost Per Placement

The new regulations explicitly require the applicant to include in its application the projected average cost per placement for the proposed project. The figure is calculated by dividing the sum of the total project costs (i.e., the annual Federal dollar amount of the grant plus the annual non-Federal match contribution) by the number of individuals proposed in the application to be placed by the project in a given year. Please note that the non-Federal match contribution submitted in the grant application is used in calculating average cost per placement. Two samples for determining a project's achievement under the average cost per placement indicator are provided below—one for a project that passes this indicator and one for a project that fails this indicator. To pass, the actual average cost per placement must not exceed 115 percent of the projected average cost per placement in the grantee's application.

CALCULATING ACHIEVEMENT UNDER AVERAGE COST PER PLACEMENT INDICATOR:

SAMPLE A – Project passing this Indicator

Sample Project data:

Number placed - 50

Projected number to be placed - 55

Federal funding - \$100,000

Project's match - \$30,000 (Minimum match required - \$25,000)

1. Calculate actual average cost per placement

$$\frac{\text{Total Cost (federal amount + non-federal match contribution)}}{\text{Actual number placed}} = \text{Actual average cost per placement}$$

$$\frac{\$130,000}{50} = \$2,600$$

2. Calculate projected average cost per placement

$$\frac{\text{Total Cost (federal amount + non-federal match contribution)}}{\text{Projected number to be placed}} = \text{Projected average cost per placement}$$

$$\frac{\$130,000}{55} = \$2,364$$

3. Calculate achievement under the “average cost per placement” indicator:

$$\frac{\text{Actual average cost per placement}}{\text{Projected average cost per placement}} \times 100 = \text{Percent average cost per placement achieved}$$

$\frac{\$2,600}{\$2,364} = 110\%$ (the actual average cost per placement does not exceed 115% of the projected average cost per placement which means that this project **passed** this indicator)

SAMPLE B – Project failing this Indicator

Sample Project data:

Number placed – 50

Projected number to be placed – 60

Federal funding - \$100,000

Project's match - \$25,000 (Minimum match required - \$25,000)

Calculate actual average cost per placement

$$\frac{\text{Total Cost (federal amount + non-federal match contribution)}}{\text{Actual number placed}} = \text{Actual average cost per placement}$$

$$\frac{\$125,000}{50} = \$2,500$$

Calculate projected average cost per placement

$$\frac{\text{Total Cost (federal amount + non-federal match contribution)}}{\text{Projected number to be placed}} = \text{Projected average cost per placement}$$

$$\frac{\$125,000}{60} = \$2,083$$

Calculate achievement under the “average cost per placement” indicator:

$$\frac{\text{Actual average cost per placement}}{\text{Projected average cost per placement}} \times 100 = \text{Average cost per placement}$$

$\frac{\$2,500}{\$2,083} = 120\%$ (the actual average cost per placement exceeds 115% of the projected average cost per placement which means that this project **failed** this indicator)

Section E

Application Transmittal Instructions

Application Transmittal Instructions

ATTENTION ELECTRONIC APPLICANTS: Please note that you must follow the Application Procedures as described in the Federal Register notice announcing the grant competition. Some programs may require electronic submission of applications, and those programs will have specific requirements and waiver instructions in the Federal Register notice.

An original and two copies of an application for an award must be mailed or hand-delivered by the application deadline date unless it is submitted electronically.

Applications Submitted Electronically

You must submit your grant application through the Internet using the software provided on the e-Grants Web site (<http://e-grants.ed.gov>) by 4:30 p.m. (Washington, DC time) on the application deadline date. The regular hours of operation of the e-Grants website are 6:00 a.m. Monday until 7:00 p.m. Wednesday; and 6:00 a.m. Thursday until midnight Saturday (Washington, DC time). Please note that the system is unavailable on Sundays, and after 7:00 p.m. on Wednesday for maintenance (Washington, DC time). Any modifications to these hours are posted on the e-Grants Web site.

If you submit your application through the Internet via the e-Grants Web site, you will receive an automatic acknowledgment when we receive your application.

Applications Delivered by Mail

Applications sent by mail must be addressed to:

U.S. Department of Education
Application Control Center
Attention: (CFDA Number 84.234R)
400 Maryland Avenue, SW.
Washington, D.C. 20202

Applicants must show proof of mailing consisting of one of the following:

- (1) A legibly dated U.S. Postal Service Postmark
- (2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.
- (3) A dated shipping label, invoice, or receipt from a commercial carrier
- (4) Any other proof of mailing acceptable to the U.S. Secretary of Education

If an application is sent through the U.S. Postal Service, the Secretary does not accept either of the following as proof of mailing:

- (1) A private metered postmark, or
- (2) A mail receipt that is not dated by the U.S. Postal Service

Applicants should note that the U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you should check with your local post office.

If you send your application by mail or if you or your courier deliver it by hand, the Application Control Center will mail a Grant Application Receipt Acknowledgment to you. If you do not receive the notification of application receipt within 15 days from the mailing of the application, you should call the U.S. Department of Education Application Control Center at (202) 245-6288.

You must indicate on the envelope and—if not provided by the Department—in Item 4 of the Application for Federal Education Assistance (ED 424 (exp. 02/28/2005)) the CFDA number – and suffix letter, if any – of the competition under which you are submitting your application.

If your application is late, we will notify you that we will not consider the application.

Applications Delivered by Hand/Courier Service

An application that is hand-delivered must be taken to:

**U.S. Department of Education
Application Control Center – Stop 4260
Attention: (CFDA Number *84.234R*)
Potomac Center Plaza
550 12th Street, S.W., Room 7041
Washington, D.C. 20202-4260**

The Application Control Center accepts deliveries daily between 8:00 a.m. and 4:30 p.m. (Washington, D.C. time), except Saturdays, Sundays and Federal holidays.

A person delivering an application must show identification to enter the building.

PLEASE NOTE – NEW ELECTRONIC SUBMISSION POLICY

Electronic Submission is Required - As outlined in the Federal Register notice for this grant competition, applications must be submitted electronically. You must submit your application using the electronic application system designated in the Federal Register notice. (The notice will designate whether you will use e-Application or Grants.gov). You may not e-mail an electronic copy to us. We will reject your application if you submit it in paper format unless you qualify for one of the exceptions to the electronic submission requirement described below and submit, no later than two weeks before the application deadline date, a written statement to the Department that you qualify for one of these exceptions.

Under mandatory submission, electronic applications must be received by 4:30 pm Washington, DC time on the application deadline date. **Under this new policy, Education does not allow for any last minute waiver requests from applicants, which is a change from the previous policy for mandatory electronic submission. Consequently, we strongly encourage you to review the registration and submission procedures for the designated electronic application system right away. In addition, we strongly suggest that you do not wait until the deadline date to submit your application.**

Exception to Electronic Submission Requirement: You qualify for an exception to the electronic submission requirement, and may submit your application in paper format, by mail or hand delivery, if you are unable to submit an application through the electronic application system designated in the Federal Register notice because—

- You do not have access to the Internet; or
 - You do not have the capacity to upload large documents to the system;
- and
- No later than two weeks before the application deadline date (14 calendar days or, if the fourteenth calendar day before the application deadline date falls on a Federal holiday, the next business day following the Federal holiday), you mail or fax a written statement to the Department, explaining which of the two grounds for an exception prevent you from using the Internet to submit your application. If you mail your written statement to the Department, it must be postmarked no later than two weeks before the application deadline date. If you fax your written statement to the Department, we must receive the faxed statement no later than two weeks before the application deadline date. (Please follow the fax instructions found in the Federal Register notice for this competition. Also, your paper application must be submitted in accordance with the mail or hand delivery instructions also described in the Federal Register notice for this grant competition.)

For detailed information on the electronic submission requirement for this competition, please refer to the Federal Register notice.

Section F

Application Forms

U.S. Department of Education
Office of Special Education and Rehabilitative Services

REHABILITATION SERVICES ADMINISTRATION
INSTRUCTIONS FOR AN APPLICATION FOR FEDERAL ASSISTANCE
(Nonconstruction Programs)

The enclosed forms shall be used by all applicants for Federal Assistance under all Rehabilitation Services Administration programs. A separate application must be submitted for each grant sought. No grant may be awarded unless the completed application forms have been received. If an item does not appear to be relevant to the assistance requested, write "NA" for not applicable.

This application consists of four parts. These parts are organized in the same manner that the submitted application should be organized. These parts are as follows:

Part I - Federal Assistance Application Face Page

Part II - Budget Information

Part III - Program Narrative

Part IV - Assurances, Certifications, and Disclosures

Each submitted application must include an index or table of contents and a one-page project abstract. Pages should be consecutively numbered.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 1820-0018. The time required to complete this information collection is estimated to average 40 hours per response, including the time to review instructions, search existing data resources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Under terms of the Paperwork Reduction Act of 1980, as amended, and the regulations implementing that Act, the Department of Education invites comment on the public reporting burden in this collection of information. You may send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Education, Information Management and Compliance Division, Washington, D.C. 20202-4651; and to the Office of Management and Budget, Paperwork Reduction Project 1820-0018, Washington, D.C. 20503.

Application for Federal Education Assistance (ED 424)



U.S. Department of Education

Form Approved
OMB No. 1890-0017
Exp. 02/28/2005

Applicant Information

1. Name and Address

Legal Name: _____

Address: _____

City

State

County

ZIP Code + 4

2. Applicant's D-U-N-S Number |____|____|____|____|____|____|____|____|____|____|

3. Applicant's T-I-N |____|____| - |____|____|____|____|____|____|

4. Catalog of Federal Domestic Assistance #: **84.**____|____|____|____|

Title: _____

5. Project Director: _____

Address: _____

City State Zip code + 4

Tel. #: () _____ - _____ Fax #: () _____ - _____

E-Mail Address: _____

Application Information

10. Type of Submission:

-PreApplication

-Application

____ Construction

____ Construction

____ Non-Construction

____ Non-Construction

11. Is application subject to review by Executive Order 12372 process?

____ Yes (Date made available to the Executive Order 12372
process for review): ____/____/____

____ No (If "No," check appropriate box below.)

____ Program is not covered by E.O. 12372.

____ Program has not been selected by State for review.

12. Proposed Project Dates: ____/____/____

Start Date:

End Date:

Estimated Funding

15a. Federal \$ _____.00

b. Applicant \$ _____.00

c. State \$ _____.00

d. Local \$ _____.00

e. Other \$ _____.00

f. Program Income \$ _____.00

g. TOTAL \$ _____.00

Organizational Unit

6. Novice Applicant ____ Yes ____ No

7. Is the applicant delinquent on any Federal debt? ____ Yes ____ No
(If "Yes," attach an explanation.)

8. Type of Applicant (Enter appropriate letter in the box.) |____|

A - State

F - Independent School District

B - Local

G - Public College or University

C - Special District

H - Private, Non-profit College or University

D - Indian Tribe

I - Non-profit Organization

E - Individual

J - Private, Profit-Making Organization

K - Other (Specify): _____

9. State Application Identifier _____

13. Are any research activities involving human subjects planned at
any time during the proposed project period?

____ Yes (Go to 13a.) ____ No (Go to item 14.)

13a. Are **all** the research activities proposed designated to be
exempt from the regulations?

____ Yes (Provide Exemption(s) #): _____

____ No (Provide Assurance #): _____

14. Descriptive Title of Applicant's Project:

Authorized Representative Information

16. To the best of my knowledge and belief, all data in this preapplication/application are true

and correct. The document has been duly authorized by the governing body of the applicant

and the applicant will comply with the attached assurances if the assistance is awarded.

a. Authorized Representative (Please type or print name clearly.)

b. Title: _____

c. Tel. #: () _____ - _____ Fax #: () _____ - _____

d. E-Mail Address: _____

e. Signature of Authorized Representative

Date: ____/____/____

Instructions for Form ED 424

1. **Legal Name and Address.** Enter the legal name of applicant and the name of the primary organizational unit which will undertake the assistance activity.
2. **D-U-N-S Number.** Enter the applicant's D-U-N-S Number. If your organization does not have a D-U-N-S Number, you can obtain the number by calling 1-800-333-0505 or by completing a D-U-N-S Number Request Form. The form can be obtained via the Internet at the following URL: <http://www.dnb.com>.
3. **Tax Identification Number.** Enter the taxpayer's identification number as assigned by the Internal Revenue Service.
4. **Catalog of Federal Domestic Assistance (CFDA) Number.** Enter the CFDA number and title of the program under which assistance is requested. The CFDA number can be found in the federal register notice and the application package.
5. **Project Director.** Name, address, telephone and fax numbers, and e-mail address of the person to be contacted on matters involving this application.
6. **Novice Applicant.** Check "Yes" or "No" only if assistance is being requested under a program that gives special consideration to novice applicants. Otherwise, **leave blank**.

Check "Yes" if you meet the requirements for novice applicants specified in the regulations in 34 CFR 75.225 and included on the attached page entitled "Definitions for Form ED 424." By checking "Yes" the applicant certifies that it meets these novice applicant requirements. Check "No" if you do not meet the requirements for novice applicants.
7. **Federal Debt Delinquency.** Check "Yes" if the applicant's organization is delinquent on any Federal debt. (This question refers to the applicant's organization and not to the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.) Otherwise, check "No."
8. **Type of Applicant.** Enter the appropriate letter in the box provided.
9. **State Application Identifier.** State use only (if applicable).
10. **Type of Submission.** See "Definitions for Form ED 424" attached.
11. **Executive Order 12372.** See "Definitions for Form ED 424" attached. Check "Yes" if the application is subject to review by E.O. 12372. Also, please enter the month, day, and four (4) digit year (mm/dd/yyyy). Otherwise, check "No."
12. **Proposed Project Dates.** Please enter the month, day, and four (4) digit year (mm/dd/yyyy).
13. **Human Subjects Research.** (See I.A. "Definitions" in attached page entitled "Definitions for Form ED 424.")

If Not Human Subjects Research. Check "No" if research activities involving human subjects are not planned at any time during the proposed project period. The remaining parts of Item 12 are then not applicable.

If Human Subjects Research. Check "Yes" if research activities involving human subjects are planned at any time during the proposed project period, either at the applicant organization or at any other performance site or collaborating institution. Check "Yes" even if the research is exempt from the regulations for the protection of human subjects. (See I.B. "Exemptions" in attached page entitled "Definitions for Form ED 424.")

13a. If Human Subjects Research is Exempt from the Human Subjects Regulations. Check "Yes" if all the research activities proposed are designated to be exempt from the regulations. Insert the exemption number(s) corresponding to one or more of the six exemption categories listed in I.B. "Exemptions." In addition, follow the instructions in II.A. "Exempt Research Narrative" in the attached page entitled "Definitions for Form ED 424." Insert this narrative immediately following the ED 424 face page.

13a. If Human Subjects Research is Not Exempt from Human Subjects Regulations. Check "No" if some or all of the planned research activities are covered (not exempt). In addition, follow the instructions in II.B. "Nonexempt Research Narrative" in the page entitled "Definitions for Form ED 424." Insert this narrative immediately following the ED 424 face page.

13a. Human Subjects Assurance Number. If the applicant has an approved Federal Wide (FWA) or Multiple Project Assurance (MPA) with the Office for Human Research Protections (OHRP), U.S. Department of Health and Human Services, that covers the specific activity, insert the number in the space provided. If the applicant does not have an approved assurance on file with OHRP, enter "None." In this case, the applicant, by signature on the face page, is declaring that it will comply with 34 CFR 97 and proceed to obtain the human subjects assurance upon request by the designated ED official. If the application is recommended/selected for funding, the designated ED official will request that the applicant obtain the assurance within 30 days after the specific formal request.

Note about Institutional Review Board Approval. ED does not require certification of Institutional Review Board approval with the application. However, if an application that involves non-exempt human subjects research is recommended/selected for funding, the designated ED official will request that the applicant obtain and send the certification to ED within 30 days after the formal request.

14. Project Title. Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.

- 15. Estimated Funding.** Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in-kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate **only** the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15.
- 16. Certification.** To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. Be sure to enter the telephone and fax number and e-mail address of the authorized representative. Also, in item 15e, please enter the month, day, and four (4) digit year (mm/dd/yyyy) in the date signed field.

Paperwork Burden Statement. According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1875-0106. The time required to complete this information collection is estimated to average between 15 and 45 minutes per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. **If you have any comments concerning the accuracy of the estimate(s) or suggestions for improving this form, please write to:** U.S. Department of Education, Washington, D.C. 20202-4700. **If you have comments or concerns regarding the status of your individual submission of this form write directly to:** Joyce I. Mays, Application Control Center, U.S. Department of Education, Potomac Center Plaza, 550 12th Street SW, Room 7076, Washington, DC 20202-4260.

Definitions for Form ED 424

Novice Applicant (See 34 CFR 75.225). For discretionary grant programs under which the Secretary gives special consideration to novice applications, a novice applicant means any applicant for a grant from ED that—

- Has never received a grant or subgrant under the program from which it seeks funding;
- Has never been a member of a group application, submitted in accordance with 34 CFR 75.127-75.129, that received a grant under the program from which it seeks funding; and
- Has not had an active discretionary grant from the Federal government in the five years before the deadline date for applications under the program. For the purposes of this requirement, a grant is active until the end of the grant's project or funding period, including any extensions of those periods that extend the grantee's authority to obligate funds.

In the case of a group application submitted in accordance with 34 CFR 75.127-75.129, a group includes only parties that meet the requirements listed above.

Type of Submission. "Construction" includes construction of new buildings and acquisition, expansion, remodeling, and alteration of existing buildings, and initial equipment of any such buildings, or any combination of such activities (including architects' fees and the cost of acquisition of land). "Construction" also includes remodeling to meet standards, remodeling designed to conserve energy, renovation or remodeling to accommodate new technologies, and the purchase of existing historic buildings for conversion to public libraries. For the purposes of this paragraph, the term "equipment" includes machinery, utilities, and built-in equipment and any necessary enclosures or structures to house them; and such term includes all other items necessary for the functioning of a particular facility as a facility for the provision of library services.

Executive Order 12372. The purpose of Executive Order 12372 is to foster an intergovernmental partnership and strengthen federalism by relying on State and local processes for the coordination and review of proposed Federal financial assistance and direct Federal development. The application notice, as published in the Federal Register, informs the applicant as to whether the program is subject to the requirements of E.O. 12372. In addition, the application package contains information on the State Single Point of Contact. An applicant is still eligible to apply for a grant or grants even if its respective State, Territory, Commonwealth, etc. does not have a State Single Point of Contact. For additional information on E.O. 12372 go to http://12.46.245.173/pls/portal30/catalog.REQ_FOR_12372.show

PROTECTION OF HUMAN SUBJECTS IN RESEARCH

I. Definitions and Exemptions

A. Definitions.

A research activity involves human subjects if the activity is research, as defined in the Department's regulations, and the research activity will involve use of human subjects, as defined in

the regulations.

—Research

The ED Regulations for the Protection of Human Subjects, Title 34, Code of Federal Regulations, Part 97, define research as "a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge." *If an activity follows a deliberate plan whose purpose is to develop or contribute to generalizable knowledge it is research.* Activities which meet this definition constitute research whether or not they are conducted or supported under a program which is considered research for other purposes. For example, some demonstration and service programs may include research activities.

—Human Subject

The regulations define human subject as "a living individual about whom an investigator (whether professional or student) conducting research obtains (1) data through intervention or interaction with the individual, or (2) identifiable private information." *(1) If an activity involves obtaining information about a living person by manipulating that person or that person's environment, as might occur when a new instructional technique is tested, or by communicating or interacting with the individual, as occurs with surveys and interviews, the definition of human subject is met. (2) If an activity involves obtaining private information about a living person in such a way that the information can be linked to that individual (the identity of the subject is or may be readily determined by the investigator or associated with the information), the definition of human subject is met.* [Private information includes information about behavior that occurs in a context in which an individual can reasonably expect that no observation or recording is taking place, and information which has been provided for specific purposes by an individual and which the individual can reasonably expect will not be made public (for example, a school health record).]

B. Exemptions.

Research activities in which the **only** involvement of human subjects will be in one or more of the following six categories of **exemptions** are not covered by the regulations:

- (1) Research conducted in established or commonly accepted educational settings, involving normal educational practices, such as (a) research on regular and special education instructional strategies, or (b) research on the effectiveness of or the comparison among instructional techniques, curricula, or classroom management methods.
- (2) Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior, unless: (a) information obtained is recorded in such a manner that human subjects can be identified, directly or through identifiers linked to the subjects; and (b) any disclosure of the human subjects' responses outside the research could reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability, or reputation. ***If the subjects are children, exemption 2 applies only to research involving educational tests***

and observations of public behavior when the investigator(s) do not participate in the activities being observed. Exemption 2 does not apply if children are surveyed or interviewed or if the research involves observation of public behavior and the investigator(s) participate in the activities being observed. [Children are defined as persons who have not attained the legal age for consent to treatments or procedures involved in the research, under the applicable law or jurisdiction in which the research will be conducted.]

(3) Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior that is not exempt under section (2) above, if the human subjects are elected or appointed public officials or candidates for public office; or federal statute(s) require(s) without exception that the confidentiality of the personally identifiable information will be maintained throughout the research and thereafter.

(4) Research involving the collection or study of existing data, documents, records, pathological specimens, or diagnostic specimens, if these sources are publicly available or if the information is recorded by the investigator in a manner that subjects cannot be identified, directly or through identifiers linked to the subjects.

(5) Research and demonstration projects which are conducted by or subject to the approval of department or agency heads, and which are designed to study, evaluate, or otherwise examine: (a) public benefit or service programs; (b) procedures for obtaining benefits or services under those programs; (c) possible changes in or alternatives to those programs or procedures; or (d) possible changes in methods or levels of payment for benefits or services under those programs.

(6) Taste and food quality evaluation and consumer acceptance studies, (a) if wholesome foods without additives are consumed or (b) if a food is consumed that contains a food ingredient at or below the level and for a use found to be safe, or agricultural chemical or environmental contaminant at or below the level found to be safe, by the Food and Drug Administration or approved by the Environmental Protection Agency or the Food Safety and Inspection Service of the U.S. Department of Agriculture.

II. Instructions for Exempt and Nonexempt Human Subjects Research Narratives

If the applicant marked “Yes” for Item 12 on the ED 424, the applicant must provide a human subjects “exempt research” or “nonexempt research” narrative and insert it immediately following the ED 424 face page.

A. Exempt Research Narrative.

If you marked “Yes” for item 12 a. and designated exemption numbers(s), provide the “exempt research” narrative. The narrative must contain sufficient information about the involvement of human subjects in the proposed research to allow a determination by ED that the designated exemption(s) are appropriate. The narrative must be succinct.

B. Nonexempt Research Narrative.

If you marked “No” for item 12 a. you must provide the “nonexempt research” narrative. The narrative must address the following seven points. Although no specific page limitation applies to this section of the application, be succinct.

(1) **Human Subjects Involvement and Characteristics:** Provide a detailed description of the proposed involvement of human subjects. Describe the characteristics of the subject population, including their anticipated number, age range, and health status. Identify the criteria for inclusion or exclusion of any subpopulation. Explain the rationale for the involvement of special classes of subjects, such as children, children with disabilities, adults with disabilities, persons with mental disabilities, pregnant women, prisoners, institutionalized individuals, or others who are likely to be vulnerable

(2) **Sources of Materials:** Identify the sources of research material obtained from individually identifiable living human subjects in the form of specimens, records, or data. Indicate whether the material or data will be obtained specifically for research purposes or whether use will be made of existing specimens, records, or data.

(3) **Recruitment and Informed Consent:** Describe plans for the recruitment of subjects and the consent procedures to be followed. Include the circumstances under which consent will be sought and obtained, who will seek it, the nature of the information to be provided to prospective subjects, and the method of documenting consent. State if the Institutional Review Board (IRB) has authorized a modification or waiver of the elements of consent or the requirement for documentation of consent.

(4) **Potential Risks:** Describe potential risks (physical, psychological, social, legal, or other) and assess their likelihood and seriousness. Where appropriate, describe alternative treatments and procedures that might be advantageous to the subjects.

(5) **Protection Against Risk:** Describe the procedures for protecting against or minimizing potential risks, including risks to confidentiality, and assess their likely effectiveness. Where appropriate, discuss provisions for ensuring necessary medical or professional intervention in the event of adverse effects to the subjects. Also, where appropriate, describe the provisions for monitoring the data collected to ensure the safety of the subjects.

(6) **Importance of the Knowledge to be Gained:** Discuss the importance of the knowledge gained or to be gained as a result of the proposed research. Discuss why the risks to subjects are reasonable in relation to the anticipated benefits to subjects and in relation to the importance of the knowledge that may reasonably be expected to result.

(7) **Collaborating Site(s):** If research involving human subjects will take place at collaborating site(s) or other performance site(s), name the sites and briefly describe their involvement or role in the research.

Copies of the Department of Education’s Regulations for the Protection of Human Subjects, 34 CFR Part 97 and other pertinent materials on the protection of human subjects in research are available from the Grants Policy and Oversight Staff, Office of the Chief Financial Officer, U.S. Department of Education, Washington, D.C. 20202-4250, telephone: (202) 245-6120, and on the U.S. Department of Education’s Protection of Human Subjects

in Research Web Site at
<http://www.ed.gov/about/offices/list/ocfo/humansub.html>



U.S. DEPARTMENT OF EDUCATION
BUDGET INFORMATION
NON-CONSTRUCTION PROGRAMS

OMB Control Number: 1890-0004
Expiration Date: 10-31-2007

Name of Institution/Organization

Applicants requesting funding for only one year should complete the column under "Project Year 1." Applicants requesting funding for multi-year grants should complete all applicable columns. Please read all instructions before completing form.

SECTION A - BUDGET SUMMARY
U.S. DEPARTMENT OF EDUCATION FUNDS

Budget Categories	Project Year 1 (a)	Project Year 2 (b)	Project Year 3 (c)	Project Year 4 (d)	Project Year 5 (e)	Total (f)
1. Personnel						
2. Fringe Benefits						
3. Travel						
4. Equipment						
5. Supplies						
6. Contractual						
7. Construction						
8. Other						
9. Total Direct Costs (lines 1-8)						
10. Indirect Costs*						
11. Training Stipends						
12. Total Costs (lines 9-11)						

Indirect Cost Information (To Be Completed by Your Business Office):

If you are requesting reimbursement for indirect costs on line 10, please answer the following questions:

- (1) Do you have an Indirect Cost Rate Agreement approved by the Federal government? ____ Yes ____ No
- (2) If yes, please provide the following information:
Period Covered by the Indirect Cost Rate Agreement: From: ____/____/____ To: ____/____/____ (mm/dd/yyyy)
Approving Federal agency: ____ ED ____ Other (please specify): _____
- (3) For Restricted Rate Programs (check one) -- Are you using a restricted indirect cost rate that:
____ Is included in your approved Indirect Cost Rate Agreement? Or ____ Complies with 34 CFR 76.564(c)(2)?

Name of Institution/Organization	Applicants requesting funding for only one year should complete the column under "Project Year 1." Applicants requesting funding for multi-year grants should complete all applicable columns. Please read all instructions before completing form.
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<p align="center">SECTION B - BUDGET SUMMARY NON-FEDERAL FUNDS</p>
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Budget Categories	Project Year 1 (a)	Project Year 2 (b)	Project Year 3 (c)	Project Year 4 (d)	Project Year 5 (e)	Total (f)
1. Personnel						
2. Fringe Benefits						
3. Travel						
4. Equipment						
5. Supplies						
6. Contractual						
7. Construction						
8. Other						
9. Total Direct Costs (Lines 1-8)						
10. Indirect Costs						
11. Training Stipends						
12. Total Costs (Lines 9-11)						

<p align="center">SECTION C - BUDGET NARRATIVE (see instructions)</p>
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Instructions for ED 524

General Instructions

This form is used to apply to individual U.S. Department of Education (ED) discretionary grant programs. Unless directed otherwise, provide the same budget information for each year of the multi-year funding request. Pay attention to applicable program specific instructions, if attached. Please consult with your Business Office prior to submitting this form.

Section A - Budget Summary U.S. Department of Education Funds

All applicants must complete Section A and provide a breakdown by the applicable budget categories shown in lines 1-11.

Lines 1-11, columns (a)-(e): For each project year for which funding is requested, show the total amount requested for each applicable budget category.

Lines 1-11, column (f): Show the multi-year total for each budget category. If funding is requested for only one project year, leave this column blank.

Line 12, columns (a)-(e): Show the total budget request for each project year for which funding is requested.

Line 12, column (f): Show the total amount requested for all project years. If funding is requested for only one year, leave this space blank.

Indirect Cost Information:

If you are requesting reimbursement for indirect costs on line 10, this information is to be completed by your Business Office. (1): Indicate whether or not your organization has an Indirect Cost Rate Agreement that was approved by the Federal government. (2): If you checked "yes" in (1), indicate in (2) the beginning and ending dates covered by the Indirect Cost Rate Agreement. In addition, indicate whether ED or another

Federal agency (Other) issued the approved agreement. If you check "Other," specify the name of the Federal agency that issued the approved agreement. (3): If you are applying for a grant under a Restricted Rate Program (34 CFR 75.563 or 76.563), indicate whether you are using a restricted indirect cost rate that is included on your approved Indirect Cost Rate Agreement or whether you are using a restricted indirect cost rate that complies with 34 CFR 76.564(c)(2). Note: State or Local government agencies may not use the provision for a restricted indirect cost rate specified in 34 CFR 76.564(c)(2). Check only one response. Leave blank, if this item is not applicable.

Section B - Budget Summary Non-Federal Funds

If you are required to provide or volunteer to provide matching funds or other non-Federal resources to the project, these should be shown for each applicable budget category on lines 1-11 of Section B.

Lines 1-11, columns (a)-(e): For each project year, for which matching funds or other contributions are provided, show the total contribution for each applicable budget category.

Lines 1-11, column (f): Show the multi-year total for each budget category. If non-Federal contributions are provided for only one year, leave this column blank.

Line 12, columns (a)-(e): Show the total matching or other contribution for each project year.

Line 12, column (f): Show the total amount to be contributed for all years of the multi-year project. If non-Federal contributions are provided for only one year, leave this space blank.

Section C - Budget Narrative [Attach separate sheet(s)] Pay attention to applicable program specific instructions, if attached.

1. Provide an itemized budget breakdown, and justification by project year, for each budget category listed in Sections A and B. For grant projects that will be divided into two or more separately budgeted major activities or sub-projects, show for each budget category of a project year the breakdown of the specific expenses attributable to each sub-project or activity.
2. If applicable to this program, provide the rate and base on which fringe benefits are calculated.
3. If you are requesting reimbursement for indirect costs on line 10, this information is to be completed by your Business Office. Specify the estimated amount of the base to which the indirect cost rate is applied and the total indirect expense. Depending on the grant program to which you are applying and/or your approved Indirect Cost Rate Agreement, some direct cost budget categories in your grant application budget may not be included in the base and multiplied by your indirect cost rate. For example, you must multiply the indirect cost rates of "Training grants" (34 CFR 75.562) and grants under programs with "Supplement not Supplant" requirements ("Restricted Rate" programs) by a "modified total direct cost" (MTDC) base (34 CFR 75.563 or 76.563). Please indicate which costs are included and which costs are excluded from the base to which the indirect cost rate is applied.

When calculating indirect costs (line 10) for "Training grants" or grants under "Restricted Rate" programs, you must refer to the information and examples on ED's website at:
<http://www.ed.gov/fund/grant/apply/appforms/appforms.html>.

You may also contact (202) 377-3838 for additional information regarding calculating indirect cost rates or general indirect cost rate information.

4. Provide other explanations or comments you deem necessary.

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1890-0004. The time required to complete this information collection is estimated to vary from 13 to 22 hours per response, with an average of 17.5 hours per response, including the time to review instructions, search existing data sources, gather the data needed, and complete and review the information collection. If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to: U.S. Department of Education, Washington, D.C. 20202-4651. If you have comments or concerns regarding the status of your individual submission of this form, write directly to (insert program office), U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, D.C. 20202.

PART III - PROGRAM NARRATIVE

Prepare the Program Narrative in accordance with the following instructions. Before preparing the Program Narrative, applicants should carefully review the selection criteria contained in this application package.

In addition, applicants should read the applicable parts of the Education Department General Administrative Regulations (EDGAR), 34 CFR. These regulations set forth all general rules affecting application submittal, review, grant award, and post-award administration for Department of Education grant programs.

NOTE: Applicants should refer back to the "Dear Applicant" Letter. It cites the applicable parts of EDGAR.

Since applications must be duplicated for distribution to reviewers, printed material should be legible, appear only on one side of each page, and be double spaced. To ensure that printed material is legible, the use of a high quality printer, with font size of 10 or 12 or larger typeface, in the preparation of your application is strongly urged. Use standard 8 1/2 x 11 inch paper, white in color, and free from tabs. Also, use spring clips or rubber bands to hold the application together. Do not use binders, folders, and staples as they must be removed before duplicating applications.

It is recommended the Program Narrative be limited to 35 pages, double spaced, and number pages consecutively. The narrative should be written concisely. Only the required information should be submitted. If appendices or other supplemental materials are included, they must be kept to a minimum and must substantiate what is proposed in the narrative., eg., the results of a needs survey or letters of commitment from organizations that will have significant involvement with the project. All vitae should be limited to one page in length showing the source and date of earned degrees, experience relevant to working with individuals who are disabled and the person's direct relationship to the project, e.g., how the person will function in the project.

The Program Narrative should begin with an overview statement (one page abstract) that summarizes the purpose/intent of project, the goals and objectives, the target population, the impact of project, and the expected outcomes or benefits. This abstract only may be single spaced.

The Program Narrative must respond to the selection criteria in the same order as they appear in Section C of this application kit.

NOTE: Funded projects will be required to report evaluation findings in the annual progress report (as part of the continuation application) and in the final report at the conclusion of the project.

IF APPLICABLE, PROVIDE THE FOLLOWING INFORMATION:

- (a) If a rehabilitation project is in its final year of support and refunding for a new project is being requested, provide a progress report that includes a discussion of all accomplishments to date in achieving project objectives and a schedule of accomplishments or milestones anticipated with the new funding request.**
- (b) A listing showing the Federal Domestic Assistance Catalog number, status and amount of each project where there is related previous, pending or anticipated assistance.**

Part IV ASSURANCES AND CERTIFICATIONS

ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in

floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. §7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1721 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead- based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, [Audits of States, Local Governments, and Non-Profit Organizations.]
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE	
APPLICANT ORGANIZATION		DATE SUBMITTED

CERTIFICATION REGARDING LOBBYING

Applicants must review the requirements for certification regarding lobbying included in the regulations cited below before completing this form. Applicants must sign this form to comply with the certification requirements under 34 CFR Part 82, "New Restrictions on Lobbying." This certification is a material representation of fact upon which the Department of Education relies when it makes a grant or enters into a cooperative agreement.

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a Federal contract, grant or cooperative agreement over \$100,000, as defined at 34 CFR Part 82, Sections 82.105 and 82.110, the applicant certifies that:

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants and contracts under grants and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certification.

NAME OF APPLICANT	PR/AWARD NUMBER AND / OR PROJECT NAME
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
SIGNATURE	DATE

**Certification Regarding Debarment, Suspension, Ineligibility and
Voluntary Exclusion -- Lower Tier Covered Transactions**

This certification is required by the Department of Education regulations implementing Executive Order 12549, Debarment and Suspension, 34 CFR Part 85, for all lower tier transactions meeting the threshold and tier requirements stated at Section 85.110.

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion-Lower Tier Covered Transactions, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may but is not required to, check the Nonprocurement List.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

NAME OF APPLICANT	PR/AWARD NUMBER AND/OR PROJECT NAME
PRINTED NAME AND TITLE OF AUTHORIZED REPRESENTATIVE	
SIGNATURE	DATE

Disclosure of Lobbying Activities
Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure)

1. Type of Federal Action: a. contract _____ b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	2. Status of Federal Action: a. bid/offer/application _____ b. initial award c. post-award	3. Report Type: a. initial filing _____ b. material change For material change only: Year _____ quarter _____ Date of last report _____
4. Name and Address of Reporting Entity: _____ Prime _____ Subawardee Tier _____, if Known: Congressional District, if known:		5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime: Congressional District, if known:
6. Federal Department/Agency:	7. Federal Program Name/Description: CFDA Number, <i>if applicable</i> : _____	
8. Federal Action Number, if known:	9. Award Amount, if known: \$ _____	
10. a. Name and Address of Lobbying Registrant (if individual, last name, first name, MI):	b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):	
11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.		
Signature: _____ Print Name: _____ Title: _____ Telephone No.: _____ Date: _____		
Federal Use Only		
Authorized for Local Reproduction Standard Form - LLL (Rev. 7-97)		

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, State and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee," then enter the full name, address, city, State and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitations for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Included prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, State and zip code of the lobbying registrant under the Lobbying Disclosure Act of 1995 engaged by the reporting entity identified in item 4 to influence the covered Federal action.
(b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

According to the Paperwork Reduction Act, as amended, no persons are required to respond to a collection of information unless it displays a valid OMB control Number. The valid OMB control number for this information collection is OMB No. 0348-0046. Public reporting burden for this collection of information is estimated to average 10 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, DC 20503.

Section G

Important Notices

NOTICE TO ALL APPLICANTS

The purpose of this enclosure is to inform you about a new provision in the Department of Education's General Education Provisions Act (GEPA) that applies to applicants for new grant awards under Department programs. This provision is Section 427 of GEPA, enacted as part of the Improving America's Schools Act of 1994 (Public Law (P.L.) 103-382).

To Whom Does This Provision Apply?

Section 427 of GEPA affects applicants for new grant awards under this program. **ALL APPLICANTS FOR NEW AWARDS MUST INCLUDE INFORMATION IN THEIR APPLICATIONS TO ADDRESS THIS NEW PROVISION IN ORDER TO RECEIVE FUNDING UNDER THIS PROGRAM.**

(If this program is a State-formula grant program, a State needs to provide this description only for projects or activities that it carries out with funds reserved for State-level uses. In addition, local school districts or other eligible applicants that apply to the State for funding need to provide this description in their applications to the State for funding. The State would be responsible for ensuring that the school district or other local entity has submitted a sufficient section 427 statement as described below.)

What Does This Provision Require?

Section 427 requires each applicant for funds (other than an individual person) to include in its application a description of the steps the applicant proposes to take to ensure equitable access to, and participation in, its Federally-assisted program for students, teachers, and other program beneficiaries with special needs. This provision allows applicants discretion in developing the required description. The statute highlights six types of barriers that can impede equitable access or participation: gender, race, national origin, color, disability, or age. Based on local circumstances, you should determine whether these or other barriers may prevent your students, teachers, etc. from such access or participation in, the Federally-funded project or activity. The description in your application of steps to be taken to overcome these barriers need not be lengthy; you may provide a clear and succinct description of how you plan to address those barriers that are applicable to your circumstances. In addition, the information may be provided in a single narrative, or, if appropriate, may be discussed in connection with related topics in the application.

Section 427 is not intended to duplicate the requirements of civil rights statutes, but rather to

ensure that, in designing their projects, applicants for Federal funds address equity concerns that may affect the ability of certain potential beneficiaries to fully participate in the project and to achieve to high standards. Consistent with program requirements and its approved application, an applicant may use the Federal funds awarded to it to eliminate barriers it identifies.

What are Examples of How an Applicant Might Satisfy the Requirement of This Provision?

The following examples may help illustrate how an applicant may comply with Section 427.

- (1) An applicant that proposes to carry out an adult literacy project serving, among others, adults with limited English proficiency, might describe in its application how it intends to distribute a brochure about the proposed project to such potential participants in their native language.
- (2) An applicant that proposes to develop instructional materials for classroom use might describe how it will make the materials available on audio tape or in braille for students who are blind.
- (3) An applicant that proposes to carry out a model science program for secondary students and is concerned that girls may be less likely than boys to enroll in the course, might indicate how it intends to conduct "outreach" efforts to girls, to encourage their enrollment.

We recognize that many applicants may already be implementing effective steps to ensure equity of access and participation in their grant programs, and we appreciate your cooperation in responding to the requirements of this provision.

Estimated Burden Statement for GEPA Requirements

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is **1890-0007**. The time required to complete this information collection is estimated to average 1.5 hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. **If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to:** Director, Grants Policy and Oversight Staff, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-4250.

THE GOVERNMENT PERFORMANCE AND RESULTS ACT (GPRA)

NOTICE TO ALL APPLICANTS: The Government Performance and Results Act (GPRA)

What is GPRA

The Government Performance and Results Act of 1993 is a straightforward statute that requires all Federal agencies to manage their activities with attention to the consequences of those activities. Each agency is to clearly state what intends to accomplish, identify the resources required, and periodically report their progress to the Congress. In doing so, it is expected that GPRA will contribute to improvements in accountability for the expenditures of public funds, improve Congressional decision-making through more objective information on the effectiveness of Federal programs, and promote a new government focus on results, service delivery, and customer satisfaction.

How has the United States Department of Education Responded to the GPRA Requirements?

As required by GPRA, the United States Department of Education (the Department) has prepared a strategic plan for 1998-2002. This plan reflects the Department's priorities and integrates them with its mission and program authorities and describes how the Department will work to improve education for all children and adults in the United States. The Department's goals, as listed in the plan, are:

- Goal 1:** Help all students reach challenging academic standards so that they are prepared for responsible citizenship, further learning, and productive employment.
- Goal 2:** Build a solid foundation for learning for all children.
- Goal 3:** Ensure access to postsecondary education and lifelong learning.
- Goal 4:** Make the United States Department of Education a high performance organization by focusing on results, service quality, and customer satisfaction.

OTHER IMPORTANT INFORMATION AND NOTICES

Executive Order 12372 - Intergovernmental Review

The Education Department General Administrative Regulations (EDGAR), 34 CFR Part 79, pertaining to intergovernmental review of Federal programs, apply to the program(s) included in this application package.

Immediately upon receipt of this notice, all applicants, other than Federally recognized Indian Tribal Governments, must contact the appropriate State Single Point of Contact to find out about, and to comply with, the State's process under Executive Order 12372. Applicants proposing to perform activities in more than one State should contact, immediately upon receipt of this notice, the Single Point of Contact for each State and follow the procedures established in those States under the Executive Order. A list containing the Single Point of Contact for each State is included in the application package for these programs.

In States that have not established a process or chosen a program for review, State, area wide, regional, and local entities may submit comments directly to the Department.

Any State Process Recommendation and other comments submitted by a State Single Point of Contact and any comments from State, area wide, regional, and local entities must be mailed or hand-delivered by the date in the program announcement for Intergovernmental Review to the following address:

The Secretary
E.O. 12372-CFDA # 84.234R
U.S. Department of Education, FOB-6, Room 7W301
400 Maryland Ave., S.W.
Washington, D.C. 20202-0100

In those States that require review for this program, applications are to be submitted simultaneously to the State Review Process and the U.S. Department of Education.

Proof of mailing will be determined on the same basis as applications.

Please note that the above address is not the same address as the one to which the applicant submits its completed application. Do not send applications to the above address.

Intergovernmental Review of Federal Programs

This appendix applies to each program that is subject to the requirements of Executive Order 12372 (Intergovernmental Review of Federal Programs) and the regulations in 34 CFR part 79.

The objective of the Executive order is to foster an intergovernmental partnership and to strengthen federalism by relying on State and local processes for State and local government coordination and review of proposed Federal financial assistance.

Applicants must contact the appropriate State Single Point of Contact to find out about, and to comply with, the State's process under Executive Order 12372. Applicants proposing to perform activities in more than one State should immediately contact the Single Point of Contact for each of those States and follow the procedure established in each of those States under the Executive order. A listing containing the Single Point of Contact for each State is included in this appendix.

In States that have not established a process or chosen a program for review, State, areawide, regional, and local entities may submit comments directly to the Department.

Any State Process Recommendation and other comments submitted by a State Single Point of Contact and any comments from State, areawide, regional, and local entities must be mailed or hand-delivered by the date indicated in the actual application notice to the following address: The Secretary, EO 12372--CFDA# [commenter must insert number--including suffix letter, if any], U.S. Department of Education, room 7W301, 400 Maryland Avenue, SW., Washington, DC 20202.

Proof of mailing will be determined on the same basis as applications (see 34 CFR 75.102). Recommendations or comments may be hand-delivered until 4:30 p.m. (Washington, DC time) on the date indicated in the actual application notice.

PLEASE NOTE THAT THE ABOVE ADDRESS IS NOT THE SAME ADDRESS AS THE ONE TO WHICH THE APPLICANT SUBMITS ITS COMPLETED APPLICATION. DO NOT SEND APPLICATIONS TO THE ABOVE ADDRESS.

STATE SINGLE POINTS OF CONTACT (SPOCs)

It is estimated that in 2004 the Federal Government will outlay \$400 billion in grants to State and local governments. Executive Order 12372, "Intergovernmental Review of Federal Programs," was issued with the desire to foster the intergovernmental partnership and strengthen federalism by relying on State and local processes for the coordination and review of proposed Federal financial assistance and direct Federal development. The Order allows each State to designate an entity to perform this function. Below is the official list of those entities. For those States that have a home page for their designated entity, a direct link has been provided on the official version: <http://www.whitehouse.gov/omb/grants/spoc.html>.

States that are not listed on this page have chosen not to participate in the intergovernmental review process, and therefore do not have a SPOC. If you are located within one of these States, you may still send application materials directly to a Federal awarding agency.

Contact information for Federal agencies that award grants can be found in [Appendix IV of the Catalog of Federal Domestic Assistance](#). [<http://www.cfda.gov/public/cat-app4-index.htm>]

ARKANSAS

Tracy L. Copeland
Manager, State Clearinghouse
Office of Intergovernmental Services
Department of Finance and Admin.
1515 W. 7th St., Room 412
Little Rock, Arkansas 72203
Telephone: (501) 682-1074
Fax: (501) 682-5206
tlcopeland@dfa.state.ar.us

CALIFORNIA

Grants Coordination
State Clearinghouse
Office of Planning and Research
P.O. Box 3044, Room 222
Sacramento, California 95812-3044
Telephone: (916) 445-0613
Fax: (916) 323-3018
state.clearinghouse@opr.ca.gov

DELAWARE

Sandra R. Stump
Executive Department
Office of the Budget
540 S. Dupont Highway, 3rd Floor
Dover, Delaware 19901
Telephone: (302) 739-3323
Fax: (302) 739-5661
sandy.stump@state.de.us

DISTRICT OF COLUMBIA

Luisa Montero-Diaz
Office of Partnerships and Grants
Development
Executive Office of the Mayor
District of Columbia Government
441 4th Street, NW, Suite 530 South
Washington, DC 20001
Telephone: (202) 727-8900
Fax: (202) 727-1652
opgd.eom@dc.gov

FLORIDA

Lauren P. Milligan
Florida State Clearinghouse
Florida Dept. of Environmental Protection
3900 Commonwealth Boulevard
Mail Station 47
Tallahassee, Florida 32399-3000
Telephone: (850) 245-2161
Fax: (850) 245-2190
Lauren.Milligan@dep.state.fl.us

GEORGIA

Barbara Jackson
Georgia State Clearinghouse
270 Washington Street, SW
Atlanta, Georgia 30334
Telephone: (404) 656-3855
Fax: (404) 656-7901
gach@mail.opb.state.ga.us

ILLINOIS

Roukaya McCaffrey
Department of Commerce and
Economic Opportunities
620 East Adams, 6th Floor
Springfield, Illinois 62701
Telephone: (217) 524-0188
Fax (217) 558-0473
roukaya_mccaffrey@illinoisbiz.biz

IOWA

Steven R. McCann
Division of Community and Rural
Development
Iowa Department of Economic Development
200 East Grand Avenue
Des Moines, Iowa 50309
Telephone: (515) 242-4719
Fax: (515) 242-4809
steve.mccann@ided.state.ia.us

KENTUCKY

Ron Cook
The Governor's Office for Local
Development
1024 Capital Center Drive, Suite 340
Frankfort, Kentucky 40601
Telephone: (502) 573-2382 / (800) 346-5606
Fax: (502) 573-2512
Ron.Cook@Ky.Gov

MAINE

Joyce Benson
State Planning Office
184 State Street
38 State House Station
Augusta, Maine 04333
Telephone: (207) 287-3261
(direct) (207) 287-1461
Fax: (207) 287-6489
joyce.benson@state.me.us

MARYLAND

Linda C. Janey, J.D.
Director, Capital Planning and
Development Review
Maryland Department of Planning
301 West Preston Street, Room 1104
Baltimore, Maryland 21201-2305
Telephone: (410) 767-4490
Fax: (410) 767-4480
linda@mail.op.state.md.us

MICHIGAN

Richard Pfaff
Southeast Michigan Council of Governments
535 Griswold, Suite 300
Detroit, Michigan 48226
Telephone: (313) 961-4266
Fax: (313) 961-4869
pfaff@semcog.org

MISSISSIPPI

Mildred Tarpe
Clearinghouse Officer
Department of Finance and Administration
1301 Woolfolk Building, Suite E
501 North West Street
Jackson, Mississippi 39201
Telephone: (601) 359-6762
Fax: (601) 359-6758

MISSOURI

Federal Assistance Clearinghouse
Office of Administration
P.O. Box 809
Truman Building, Room 840
Jefferson City, Missouri 65102
Telephone: (573) 751-4834
Fax: (573) 522-4395
igr@mail.oa.state.mo.us

NEVADA

Heather Elliott
Department of Administration
State Clearinghouse
209 E. Musser Street, Room 200
Carson City, Nevada 89701
Telephone: (775) 684-0209
Fax: (775) 684-0260
helliott@govmail.state.nv.us

NEW HAMPSHIRE

MaryAnn Manoogian
Director, New Hampshire Office of
Energy and Planning
Attn: Intergovernmental Review Process
Benjamin Frost
57 Regional Drive
Concord, New Hampshire 03301-8519
Telephone: (603) 271-2155
Fax: (603) 271-2615
irp@nh.gov

NEW MEXICO

Ken Hughes
Local Government Division
Room 201 Bataan Memorial Building
Santa Fe, New Mexico 87503
Telephone: (505) 827-4370
Fax: (505) 827-4948
khughes@dfa.state.nm.us

NEW YORK

Linda Shkreli
Office of Public Security
Homeland Security Grants Coordination
633 3rd Avenue
New York, NY 10017
Telephone: (212) 867-1289
Fax: (212) 867-1725

NORTH DAKOTA

Jim Boyd
Division of Community Services
600 East Boulevard Ave, Dept 105
Bismarck, North Dakota 58505-0170
Telephone: (701) 328-2094
Fax: (701) 328-2308
jboyd@state.nd.us

RHODE ISLAND

Kevin Nelson
Department of Administration
Statewide Planning Program
One Capitol Hill
Providence, Rhode Island 02908-5870
Telephone: (401) 222-2093
Fax: (401) 222-2083
knelson@doa.state.ri.us

SOUTH CAROLINA

SC Clearinghouse
Budget and Control Board
Office of State Budget
1201 Main Street, Suite 950
Columbia, South Carolina 29201
Telephone: (803) 734-0494
Fax: (803) 734-0645
clearinghouse@budget.state.sc.us

TEXAS

Denise S. Francis
Director, State Grants Team
Governor's Office of Budget and Planning
P.O. Box 12428
Austin, Texas 78711
Telephone: (512) 305-9415
Fax: (512) 936-2681
dfrancis@governor.state.tx.us

UTAH

Clare Walters
Utah State Clearinghouse
Governor's Office of Planning and
Budget
State Capitol, Room 116
Salt Lake City, Utah 84114
Telephone: (801) 538-1555
Fax: (801) 538-1547
cwalters@utah.gov

WEST VIRGINIA

Fred Cutlip, Director
Community Development Division
West Virginia Development Office
Building #6, Room 553
Charleston, West Virginia 25305
Telephone: (304) 558-4010
Fax: (304) 558-3248
fcutlip@wvdo.org

WISCONSIN

Jeff Smith
Section Chief, Federal/State Relations
Wisconsin Department of Administration
101 East Wilson Street, 6th Floor
P.O. Box 7868
Madison, Wisconsin 53707
Telephone: (608) 266-0267
Fax: (608) 267-6931
jeffrey.smith@doa.state.wi.us

AMERICAN SAMOA

Pat M. Galea'i
Federal Grants/Programs Coordinator
Office of Federal Programs/Office of
the Governor
Department of Commerce
American Samoa Government
Pago Pago, American Samoa 96799
Telephone: (684) 633-5155
Fax: (684) 633-4195
pmgaleai@samoatelco.com

GUAM

Director
Bureau of Budget and Mgmt. Research
Office of the Governor
P.O. Box 2950
Agana, Guam 96910
Telephone: 011-671-472-2285
Fax: 011-472-2825
jer@ns.gov.gu

NORTH MARIANA ISLANDS

Ms. Jacoba T. Seman
Federal Programs Coordinator
Office of Management and Budget
Office of the Governor
Saipan, MP 96950
Telephone: (670) 664-2289
Fax: (670) 664-2272
omb.jseman@saipan.com

PUERTO RICO

Jose Caballero / Mayra Silva
Puerto Rico Planning Board
Federal Proposals Review Office
Minillas Government Center
P.O. Box 41119
San Juan, Puerto Rico 00940-1119
Telephone: (787) 723-6190
Fax: (787) 722-6783

VIRGIN ISLANDS

Ira Mills
Director, Office of Management and
Budget
#41 Norre Gade Emancipation Garden
Station, Second Floor
Saint Thomas, Virgin Islands 00802
Telephone: (340) 774-0750
Fax: (340) 776-0069
irmills@usvi.org

Changes to this list can be made only after OMB is notified by a State's officially designated representative. E-mail messages can be sent to grants@omb.eop.gov. If you prefer, you may send correspondence to the following postal address:

Attn: Grants Management
Office of Management and Budget
New Executive Office Building, Suite 6025
725 17th Street, NW
Washington, DC 20503

Please note: Inquiries about obtaining a Federal grant should not be sent to the OMB e-mail or postal address shown above. The best source for this information is the [CFDA](#).

Survey on Ensuring Equal Opportunity for Applicants

OMB No. 1890-0014 Exp. 1/31/2006

Purpose: The Federal government is committed to ensuring that all qualified applicants, small or large, non-religious or faith-based, have an equal opportunity to compete for Federal funding. In order for us to better understand the population of applicants for Federal funds, we are asking nonprofit private organizations (not including private universities) to fill out this survey.

Upon receipt, the survey will be separated from the application. Information provided on the survey will not be considered in any way in making funding decisions and will not be included in the Federal grants database. While your help in this data collection process is greatly appreciated, completion of this survey is voluntary.

Instructions for Submitting the Survey: If you are applying using a hard copy application, please place the completed survey in an envelope labeled "Applicant Survey." Seal the envelope and include it along with your application package. If you are applying electronically, please submit this survey along with your application.

Applicant's (Organization) Name: _____

Applicant's DUNS Number: _____

Grant Name: _____ **CFDA Number:** _____

7

1. Does the applicant have 501(c)(3) status?

☐

Yes

☐

No

2. How many full-time equivalent employees does the applicant have? (Check only one box).

☐

3 or Fewer

☐

15-50

☐

4-5

☐

51-100

☐

6-14

☐

over 100

3. What is the size of the applicant's annual budget?

(Check only one box.)

☐

Less Than \$150,000

☐

\$150,000 - \$299,999

☐

\$300,000 - \$499,999

☐

\$500,000 - \$999,999

☐

\$1,000,000 - \$4,999,999

☐

\$5,000,000 or more

4. Is the applicant a faith-based/religious organization?

☐

Yes

☐

No

5. Is the applicant a non-religious community-based organization?

☐

Yes

☐

No

6. Is the applicant an intermediary that will manage the grant on behalf of other organizations?

☐

Yes

☐

No

7. Has the applicant ever received a government grant or contract (Federal, State, or local)?

☐

Yes

☐

No

8. Is the applicant a local affiliate of a national organization?

☐

Yes

☐

No

☐ \$5,000,000 or more

4. Is the applicant a faith-based/religious organization?

☐ Yes

☐ No

5. Is the applicant a non-religious community-based organization?

☐ Yes

☐ No

6. Is the applicant an intermediary that will manage the grant on behalf of other organizations?

☐ Yes

☐ No

7. Has the applicant ever received a government grant or contract (Federal, State, or local)?

☐ Yes

☐ No

8. Is the applicant a local affiliate of a national organization?

☐ Yes

☐ No

Survey Instructions on Ensuring Equal Opportunity for Applicants

Provide the applicant's (organization) name and DUNS number and the grant name and CFDA number.

1. 501(c)(3) status is a legal designation provided on application to the Internal Revenue Service by eligible organizations. Some grant programs may require nonprofit applicants to have 501(c)(3) status. Other grant programs do not.
2. For example, two part-time employees who each work half-time equal one full-time equivalent employee. If the applicant is a local affiliate of a national organization, the responses to survey questions 2 and 3 should reflect the staff and budget size of the local affiliate.
3. Annual budget means the amount of money your organization spends each year on all of its activities.
4. Self-identify.
5. An organization is considered a community-based organization if its headquarters/service location shares the same zip code as the clients you serve.
6. An "intermediary" is an organization that enables a group of small organizations to receive and manage government funds by administering the grant on their behalf.
7. Self-explanatory.
8. Self-explanatory.

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1890-0014. The time required to complete this information collection is estimated to average five (5) minutes per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. **If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to:** U.S. Department of Education, Washington, D.C. 20202-4651.

If you have comments or concerns regarding the status of your individual submission of this form, write directly to: Joyce I. Mays, Application Control Center, U.S. Department of Education, 7th and D Streets, SW, ROB-3, Room 3671, Washington, D.C. 20202-4725

**IMPORTANT NOTICE TO PROSPECTIVE PARTICIPANTS
IN U.S. DEPARTMENT OF EDUCATION
GRANT AND CONTRACT PROGRAMS**

GRANTS

Applicants for grants from the U.S. Department of Education (ED) have to compete for limited funds. Deadlines assure all applicants that they will be treated fairly and equally, without last minute haste. For these reasons, ED must set strict deadlines for grant applications. Prospective applicants can avoid disappointment if they understand that:

Failure to meet a deadline will mean that an applicant will be rejected without any consideration.

The rules, including the deadline, for applying for each grant are published, individually, in the Federal Register. A one-year subscription to the Register may be obtained by sending \$555.00 to: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402-9371. (Send check or money order only, no cash or stamps.) In addition, the Federal Register is available on-line for free on Government Printing Office (GPO) Access: <http://www.gpoaccess.gov/fr/index.html>. Depository Library location and Federal Register services: <http://www.archives.gov/>.

The instructions in the Federal Register must be followed exactly. Do not accept any other advice you may receive. No ED employee is authorized to extend any deadline published in the Register. No ED employees are authorized to extend any deadline published in the Federal Register. Questions regarding submission of applications may be addressed to:

U.S. Department of Education
Application Control Center
Washington, D.C. 20202-4725

CONTRACTS

Competitive procurement actions undertaken by the ED are governed by the Federal Acquisition Regulations and implementing Department of Education Acquisition Regulations.

Generally, prospective competitive procurement actions are synopsisized in the Commerce Business Daily (CBD). Prospective offerors are therein advised of the nature of the procurement and where to apply for copies of the Request for Proposals (RFP). All of ED's RFP's are now available on-line for downloading at the following url: <http://www.ed.gov/offices/ocfo/contracts/currfrp.html>.

Offerors are advised to be guided solely by the contents of the CBD synopsis and the instructions contained in the RFP. Questions regarding the submission of offers should be addressed to the Contracts Specialist identified on the face page of the RFP. Offers are judged in competition with others, and failure to conform with any substantive requirements of the RFP will result in rejection of the offer without any consideration whatever.

Do not accept any advice you receive that is contrary to instructions contained in either the CBD synopsis or the RFP. No ED employee is authorized to consider a proposal which is non-responsive to the RFP. A subscription to the CBD is available for \$208.00 per year via second class mailing or \$261.00 per year via first class mailing. Information included in the Federal Acquisition Regulation is contained in Title 48, Code of Federal Regulations, Chapter 1 (\$49.00). The foregoing publication may be obtained by sending your check or money order only, no cash or stamps, to:

Superintendent of Documents
U.S. Government Printing Office
Washington, D.C. 20402-9371

In addition, the Commerce Business Daily is available on-line for free at the following url: <http://cbdnet.access.gpo.gov/>. The Federal Acquisition Regulations are available on-line at the following url: <http://www.arnet.gov/far/> In an effort to be certain this important information is widely disseminated, this notice is being included in all ED mail to the public. You may therefore, receive more than one notice. If you do, we apologize for any annoyance it may cause you.

Section H

Application Checklist, Common Questions and Answers, and Other Important Information

APPLICATION CHECKLIST

Does your application include each of the following?

- ☐ Cover page (ED 424)
- ☐ Budget form (ED Form 524)
- ☐ Budget narrative
- ☐ Program narrative, including abstract and responses to the selection criteria
- ☐ Assurances and Certifications

Did You --

- ☐ Provide one (1) original plus 2 copies of the application?
- ☐ Include all required forms with original signatures and dates?
- ☐ Submit a copy of the application to the State Single Point of Contact, if applicable?

- | | | | |
|--------------------------|--|----|---|
| <input type="checkbox"/> | Mail* Application To: | OR | Hand-deliver* Application To: |
| | REHABILITATION SERVICE
PROGRAM
ATTN: CFDA #84.234R
U.S. Department of Education
Application Control Center
400 Maryland Avenue, SW
Washington, DC 20202-4725 | | REHABILITATION SERVICE
PROGRAM
ATTN: CFDA#84.234R
U.S. Department of Education
Application Control Center
550 12 TH Street, SW, Room 7067
Washington, DC 20202 |

***Must be received by mail postmarked no later than the closing date indicated on the cover of this kit or hand-delivered by 4:30 p.m. no later than the closing date indicated on the cover of this application kit.**

COMMON QUESTIONS AND ANSWERS

[Below are some examples of Q's & A's that programs may include in their application booklets. Programs may want to add others. Generally speaking, Q's & A's should not repeat information that is given elsewhere in the application. However, there may be exceptions to this "rule of thumb." Q's & A's should not be subregulatory and should not take the place of instructions.]

Q. What happens to my application after it is received in the Department?

A. The Department's Application Control Center receives each application, assigns each an identifying number (PR/Award number), confirms receipt of applications, and sends the applications to the appropriate program office, which screens them for eligibility. The program conducts a peer review of all eligible applications sent to a program competition, ranks them and recommends the highest ranked applications for funding with exceptions as provided by law. The responsible official for the applicable program reviews the program office's recommendations, checks the adequacy of the documentation supporting the recommendations, and approves a final list, or slate, of recommended projects and funding amounts. RSA Special Projects Division staff discuss the recommendations with the successful applicants and awards the grants.

Q. What happens to my application if the Department finds it to be ineligible?

A. The Department immediately returns an application that does not meet the eligibility criteria for the particular program. A letter from the Department explaining why it is not being reviewed in the competition accompanies the application.

Q. How does the Department review an application?

A. Each application is assessed by knowledgeable persons from outside and sometimes inside the Department who are asked for their judgments about the quality and significance of the proposed project. These persons represent a diversity of disciplines and institutional, regional, and cultural backgrounds. The advice of these experts is compiled by Departmental staff who comment on matters of fact or on significant issues that would otherwise be missing from the review. The results are then presented to the responsible official responsible for the program who approves the recommendations for funding.

Q. What criteria do the reviewers use when scoring an application?

A. Reviewers score each application using the selection criteria published in the Federal Register as part of the program regulations, which are given in Section C. Reviewers are instructed to use only the published criteria.

Q. Is a recommended application guaranteed funding?

A. No. Funding is not final until negotiations have been successfully concluded and a grant award notification has been signed by the grants office and mailed to the applicant.

Q. How long does it take the Department to complete the review process?

A. Most review processes take from four to six months.

Q. How do the invitational, competitive and absolute priorities differ?

A. Invitational Priority

The Secretary may simply invite applicants to meet a priority. However, an application that addresses invitational priorities receives no competitive or absolute preference over applications that do not meet this priority.

Competitive Priority

If a program uses weighted selection criteria, the Secretary may award selection points to an application that meets the priority. These points are in addition to any points the application earns under the selection criteria. The notice states the maximum number of additional points that the Secretary may award to applications that meet the priority in a particularly effective way. Or the Secretary may simply select applications that meet the competitive priority over applications of comparable merit that do not meet the priority.

Absolute Priority

Under an absolute priority, the Secretary may select for funding only those applications that meet the priority.

Q. Can changes in the size of subsequent year awards be made after the multi-year budget has been negotiated?

A. Yes, a grantee can renegotiate his or her multi-year budget and may be awarded additional funds if sufficient justification is presented to the Secretary and funds are available. Also, funds can be decreased if it is determined that the multi-year budget was overestimated.

Q. How will funding continuation decisions be made if the Department is phasing out the use of non-competing continuation applications after fiscal year 1995?

A. Grantees will be required to complete annual performance reports that describe the projects' accomplishments, evaluations, and finances. These performance reports, along with other information, will be used by the Department to decide whether to continue funding projects.

DUNS Number Instructions

D-U-N-S No.:

Please provide the applicant's D-U--N-S Number. You can obtain your D-U-N-S Number at no charge by calling 1-800-333-0505 or by completing a D-U-N-S Number Request Form. The form can be obtained via the Internet at the following URL:

<http://www.dnb.com/dbis/about/intlduns.htm>

The D-U-N-S Number is a unique nine-digit number that does not convey any information about the recipient. A built in check digit helps assure the accuracy of the D-U-N-S Number. The ninth digit of each number is the check digit, which is mathematically related to the other digits. It lets computer systems determine if a D-U-N-S Number has been entered correctly.

DUN & Bradstreet, a global information services provider, has assigned D-U-N-S number to over 43 million companies worldwide.

GRANT APPLICATION RECEIPT ACKNOWLEDGMENT

If you fail to receive the notification of application receipt within fifteen (15) days from the closing date, call:

**U.S. Department of Education
Application Control Center
(202) 245-6288**

GRANT AND CONTRACT FUNDING INFORMATION

The Department of Education provides information about grant and contract opportunities electronically in several ways:

ED Internet Home Page <http://www.ed.gov/> (WWW address)